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EASTERN

F.O.
371

1948

PALESTINE

FILE No.1102.....

.....

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68652

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[This telegram is of particular secrecy and should be retained by the authorized recipient and not passed on].

27 JAN 1948

Cypher/OTP

WORLD ORGANISATION DISTRIBUTION

FROM NEW YORK TO FOREIGN OFFICE

(From United Kingdom Delegation to United Nations)

No. 208

26th January, 1948.

D. 8.52 p.m. 26th January, 1948.

R. 10.25 p.m. 26th January, 1948.

Repeated to Jerusalem

Washington Saving

IMMEDIATE

GIANT

SECRET

Addressed to Foreign Office telegram No. 208 of 26th January repeated to Jerusalem and Saving to Washington.

Position of Palestinian Staff after termination of the Mandate.

As you will have observed from various telegrams which Fletcher-Cooke has sent to Gurney, there appears to be a confusion of thought in this matter.

2. In their proposed replies to questions A(2) - Police, B(14) - Palestinian Staff, (Jerusalem telegram No. 165 to Colonial Office refers,) Government of Palestine appear to envisage that appointments of all Palestinian personnel will be formally terminated at the date of termination of the Mandate. Indications here are that Commission expect, in theory at any rate, to take over the services of all existing Palestinian personnel (including police) on the same terms as at present, for which they assume that provision will be made by the Government of Palestine for the full financial year in the 1948/49 estimates. Commission have, of course, been warned that no Arabs will serve but they appear to take the view that it is for them to decide what compensation benefits should be paid to any Palestinians who do not in fact continue to serve or who are not offered employment.

3. Bunche has confirmed this appreciation of Commission's approach to the problem and we should therefore be grateful for early indication as to whether Commission's view should be accepted. A decision on this point will, of course, be required before the replies to questions A(2) and B(14) can be given.

4. As regards Palestine's proposed reply to question B(15), having regard to the fact that a number of British personnel are seconded for service with foreign authorities, e.g. secondment for service with the Government of

/Transjordan

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4

5. Please inform Martin, Colonial Office.

[Copies sent to Colonial Office for repetition to Jerusalem].

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SECRET

The Church House,
Gt. Smith Street,
London, S.W. 1.

My Reference 75872/159/15.

January 26, 1948.

Your Reference

1102 1102 71

PW

My dear Beeley,

New York telegram No. 208 to Foreign Office indicates that our delegation in New York are in some doubt about the communication they should make to the Commission regarding the position of Palestinian staff after termination of the mandate.

--- I enclose a copy of a draft reply which, if you agree, we should like to see sent to New York.

Yours ever,

W.A.C. Mathieson

(W.A.C. Mathieson)

*The send
for despatch.*

H. BEELEY, Esq., CBE.

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Registry
No. E

Top Secret.
Secret.
Confidential.
Restricted.
Open.

Draft.

Sir A. Jagan,
New York.

Telegram.

No. 395

(Date) Jan. 29.

Repeat to:—

Washington, and
Jerusalem.

~~En Clair.~~

~~Coda.~~

Cypher.

Distribution:—

Wala Organ

Copies to:—

CYPER

Addressed to Washington, F.O.,
Telegram no. 395 of Jan 29,
repeated to Washington and
Jerusalem. Despatched

194

M.

Your telegram no. 200. Position of
Palestinian staff after termination of mandate.

It should be made clear to Commission
that Palestine Government, present employer
of all expatriate and local staff, will cease
to exist on 15th May. All appointments,
contracts and agreements must therefore be
terminated by that date. It will be open to
Commission or successor authority to offer
appointment on same terms as before ^(or indeed on any terms) to personnel
thus released. There can be no question of
the outgoing authority handing over to
Commission their former servants bound by the
terms of their employment to continue service
with the Commission. I assume from last
sentence of para. 1 of your telegram no. 202
that this position has been made clear to
Commission.

2. The attitude of the Commission towards
compensation benefits for Palestinians, as
reported by you, is being considered here, and
a separate telegram will be sent on this point.

3. Your para. 4. It is correct to say that
refusal of him to agree to secondment of
British personnel to Commission based on their
refusal to provide machinery of implementation.
~~There is no true analogy with treatment of~~
~~British personnel in Governmental transfer.~~

NOTHING TO BE WRITTEN IN THIS MARGIN.

(13556) W 4987.140 100m 347 G.S.S. Gp 620

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These officers are serving voluntarily under contract with Transjordan Government, and secondment is merely a device to secure continuity of pension rights. There is no political objection to such secondment. In case of Palestine expatriate officers special provision is being made outside machinery of secondment to secure continuity of pension rights.

7/13 29/

NOTHING TO BE WRITTEN IN THIS MARGIN.

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WORLD ORGANISATION DISTRIBUTION

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Confidential

FROM FOREIGN OFFICE TO NEW YORK

(To United Kingdom Delegation to the United Nations)

No. 395

29th January, 1948

D: 4.05 p.m. 29th January, 1948

Repeated to: Washington No. 1153
Jerusalem via C.O.

IMPORTANT
CONFIDENTIAL
GIANT

Addressed to United Kingdom Delegation New York
telegram No. 395 of January 29th repeated for information
to Washington and Jerusalem.

Your telegram No. 208. Position of Palestinian
staff after termination of Mandate.

It should be made clear to Commission that Palestine
Government, present employer of all expatriate and local
staff, will cease to exist on 15th May. All appointments,
contracts and agreements must therefore be terminated
by that date. It will be open to Commission or successor
authority to offer appointment on same terms as before
(or indeed on any terms) to personnel thus released. There
can be no question of the outgoing authority handing over
to Commission their former servants bound by the terms of
their employment to continue service with the Commission.
I assume from last sentence of paragraph 1 of your
telegram No. 202 that this position has been made clear
to Commission.

2. The attitude of the Commission towards compensation
benefits for Palestinians, as reported by you, is being
considered here, and a separate telegram will be sent on
this point.

3. Your paragraph 4. It is correct to say that
refusal of His Majesty's Government to agree to secondment
of British personnel to Commission is based on their
refusal to provide machinery of implementation.

G G G G

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E 1102/1102/21

INWARD TELEGRAM

Cypher (O.T.P.)

FROM PALESTINE (General Sir A. Cunningham)

TO S. OF S., COLONIES.

D. 1st February, 1948.

R. 1st " " 19.40 hrs.

INDEXED

MOST IMMEDIATE

No. 260.

Your telegram No. 390.

My personal views and recommendations were contained in my personal telegram No. 28 to Lloyd and therefore I am convinced of overriding justice of arguments contained in your paragraph 2.

2. The crux of the matter lies in there being no difference of treatment as between British and Palestinians.

3. You should know that, both in word and deed, I have associated myself intimately with these proposals. I have left neither British nor Palestinians in any doubt of my own personal good faith in the matter of protecting their interests. The public announcements made both at home and here and assurances given have been, to my mind rightly, interpreted as a guarantee for the Civil Service as a whole. I must therefore point out that in the event of retreat from this stand, I would very seriously have to consider my personal position which I feel would be untenable.

4. At the same time, it is not as urgent to give a public guarantee as to announce the terms, although, no doubt, if no guarantee were given, pressure would soon be put on us to define the position in this respect. There is therefore a possibility of announcing the terms without guarantee. Although I would look on this as the second best, from point of view of Palestine, yet I would prefer it rather than that there should be more delay.

5. Regarding course suggested in paragraph 5, provided whatever was said on these lines did not exclude a guarantee by H.M.G. if negotiations failed, I believe that, with careful wording, some such announcement would not create too much consternation. But I should repeat that it would have to apply to both British and Palestinians.

Copies sent to:-

Foreign Office

- Mr. Gardener
- Mr. Beith

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E 2738 9

1948

14 FEB 1948

PALESTINE

Registry
Number

TELEGRAM FROM

No.

Dated

Received
in Registry

E2138/1102/31

111101

New York

482

13 Feb

14 -

Failure of British Administration
 to maintain law of the land since arrival from
 Chairman of Association of Arab Workers and
 Officers in London. The failure of all
 administrative and legal agencies including police
 and courts, and transport, resulted in serious property.

Last Paper.

1758

(Minutes.)

References.

(Print.)

(How disposed of.)

8. Hathi as. 80
 1. Herman Lab Off

M/39

M04

Admty

Q M

Feb 16

(Action
completed.)

(Index.)

J. E. H. 17/2/48

11/2/48

Next Paper.

2321

30471 F.O.P

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En clair

DEPARTMENT E. 2130

FROM NEW YORK TO FOREIGN OFFICE.

(From U.K. Delegation to United Nations). 14 FEB 1948

No. 482. D. 12.18 p.m. 13th February, 1948.
13th February, 1948. R. 3.55 p.m. 13th February, 1948.

IMMEDIATE.

Addressed to High Commissioner Jerusalem telegram No. 94 of 13th February, repeated for information to Foreign Office for Colonial Office, and Saving to Washington.

Following for Gurney from Fletcher-Cooke.

[Begins].

We have received from the Commission without (repeat without) comment copies of telegrams which have passed between chairman of the Association of Government Wartime Departments Officers, Jerusalem and the Commission.

2. Texts of these telegrams are as follows:

[Begins].

"Misicki Chairman Palestine Commission United Nations New York. Present cable from Association Government Wartime Department's Officers legally and officially recognised body representing officers all communities in departments commerce industry food price controls road transport custodian enemy property. On November twelve and December sixteen requested following assurances from Palestine Government "That our members will not be discharged under the declared policy of restricting services and staffs in anticipation of withdrawal so that members' rights to employment remain unprejudiced and that the status quo of departments be maintained for subsequent governmental machinery to decide on position of departments and employment of staffs in light of new situation." January 24th received reply Palestine Government "It is regretted that Government is unable to give the assurances sought". Also received January 24th following "Retiring benefits to be granted to officers of this Government on abolition (repeat abolition) of office on the termination of the Mandate are still under consideration. When a final decision is taken the terms will be published for general information." Following non-political implications to above constitutes breach Palestine resolution Part 1 Article 2 paragraph 5 and Article 15 being obstruction continuity in the functioning of the administrative services and progressive transfer from the mandatory power to the commission of responsibility for all the functions of government. Request immediate intervention British and Palestine Governments. Stress departments include vital food and price controls and commerce industry likewise request /earliest.....

14 FEB 1948
RECEIVED
FOREIGN OFFICE

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earliest establishment joint economic board take over departments. Present cable authorised representative meeting all communities today. Copy sent Trygve Lie. Pinsky Chairman Association".

[Ends].

second telegram.

[Begins].

"Pinsky Chairman Association Government wartime Departments Officers Jerusalem Palestine.

Palestine Commission considered your cable request to chairman at its thirtieth meeting 4th February. Am directed inform you that Commission decided to take up with Mandatory power matters you mention "with a view to ensuring that there shall be continuity in the functioning of administrative services" as provided in paragraph 13 Section B part 1 of the Assembly's resolution. R.J. Bunche Principal Secretary United Nations Palestine Commission."

[Ends].

Please pass immediate to Jerusalem and Colonial Office.

[Copies sent to Colonial Office, and to Cypher Section Colonial Office for repetition to Jerusalem].

0:0

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10

E

E 5719

20 MAY 1948

1948

Registry Number E6519/1102/31

FROM Chancery CAIRO to Eastern Dept

No. 817/1/48

Dated May 11, 1948

Received in Registry May 20, 1948

Payments of salaries and pensions of Palestine Government staff.

Egyptian Ministry of Education state that Egyptian teachers on contract to the Palestine Government have not received their salaries for February, March and April. Enquires to what authority enquiries should be referred.

Last Paper

6502

References

(Print)

(How disposed of)

24) c.o. (Mr. Higham) May 21

Incl. P. D
Chancery Cairo
ref
June 4

(Action completed)

(Index)

Next Paper (57214)

E 6685

(Minutes.)

Copy CO. (Mr Higham)
What reply?

By June 1

JB May 21

See within letter of 3/6 from Colonial Office.

Copy Cairo Chancery refile
JB June 9

PUBLIC RECORD OFFICE

Reference:-

FO 371 / 68652

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/NO.



817/1/48.

E 6519

20 MAY 1948
BRITISH EMBASSY,
CAIRO.

11th May, 1948.

Dear Department,

We are receiving an increasing number of enquiries about payments of salaries and pensions which are at present the responsibility of the Palestine Government. For example, the Egyptian Ministry of Education states that the three or four Egyptian teachers on contract to the Palestine Government till May 15th have not received their salaries for February, March and April, and wants to know whom to approach.

We are of course most reluctant to pester Jerusalem with enquiries of this sort, and we should be glad to know if the proposed clearing house for Palestine affairs is yet in action in Cyprus, and to what authority we should refer our enquiries.

Yours ever,

CHANCERY.

Eastern Department,
Foreign Office,
London, S.W.1.

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Communications on this subject
should be addressed to:-
THE UNDER-SECRETARY OF
STATE,
and the following number quoted,
75873/21.

17/11/13 10/5
COLONIAL OFFICE
The Church House,
~~DOWNING ST.~~
Great Smith St.
S.W.1.

2 June, 1948.

E 6519/1102/31

Sir,

I am directed by
Mr. Secretary Creech Jones to
acknowledge the receipt of your third
personal note of the 21st May transmitting
a copy of a letter from the Chancery
of the British Embassy, Cairo about the
payment of salaries and pensions due
to Palestine Government Staff, and to
inform you that enquiries of this nature
should be addressed to:

The Officer in Charge,
Palestine Accounts Clearance
Office,
c/o G.P.O.,
Platres,
Cyprus.

I am,
Sir,
Your obedient servant,

E. 6519/1102/31

John D. H. H. H.

THE UNDER-SECRETARY OF STATE,
FOREIGN OFFICE.

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E

14

31 MAY 1948

PALESTINE

Registry Number } E7214/1102/31

TELEGRAM FROM
Sir R. Campbell CAIRO

No. 743

Dated **May 29, 1948**

Received in Registry May 31, 1948

Payments of salaries and pensions of Palestine Government staff.

Refers to Chancery letter of May 11 (E6519/1102/31)

Requests early reply as distress is being caused by non-payment of pension.

Last Paper.

٤٧١٢٣

References.

(Minutes.)

Copy Co. (our High an) refce
we may expect an early
reply from Co.

On June 6

12 June 1917

(Print.)

(How disposed of.)

Diagram, E.O.
(Ref)

June 3

(Action completed.)

Index

Next Paper.

237E

32008 F.O.P.

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E

E 7973

16

1948

PALESTINE

14 JUN 1948

Registry
Number } E7973/1102/31
FROM

Royal Egyptian
Embassy

Dated 1639/12-4/2

Received
in Registry } 11th June
15th "

Payments of pensions and salaries of Palestine
Government staff.

The Education Department in Palestine wrote to
Education Department in Egypt stating that they no
longer required the services of the Egyptian
subjects- Mr. Sabri Taha Osman and Mr. Ahmed Fouad
Ibrahim and that they would pay the salaries of
these two men up to the 1st May. It seems however
that salaries for months February, March and April
have not yet been paid. Requests that competent
authorities be approached with a view to settlement

Last Paper

7125

References

(Print)

(How disposed of)

905

15 June

1st Egyptian Ambassador

June 22

8, correspondence

1st Egyptian Ambassador

1st Egyptian Ambassador

June 23

(Action
completed)

4/25/6

(Index)

12/2/48

Next Paper

7974

(Minutes.)

Draft to Egyptian Ambassador.

Copy corresp. Mr Higham. C.D.
ref. his letter of 26/5/49.

PUBLIC RECORD OFFICE

Reference:-

FO 371 / 68652

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ROYAL EGYPTIAN EMBASSY

Ref: 1639/12-4/2.

75 SOUTH AUDLEY STREET
LONDON W.1

14 JUN 1948

11th June, 1948.

The Egyptian Ambassador presents his compliments to His Majesty's Principal Secretary of State for Foreign Affairs and has the honour to approach him on the following matter.

The Education Department in Palestine wrote to the Ministry of Education, Egypt, on the 9th March, 1948 stating that owing to the present situation in Palestine, they would no longer need the services of the Egyptian subjects - Mr. Sabri Taha Osman and Mr. Ahmed Fouad Ibrahim, who were employed by them as teachers at the Haifa Polytechnic School. The Department also stated in their aforementioned letter that they would pay the salaries of these two teachers up to the 1st May, 1948. It seems, however, that the salaries for February, March and April have not yet been paid.

The Egyptian Ambassador would therefore be grateful if the Principal Secretary of State would be good enough to approach the competent authorities with a view to an early settlement.

His Majesty's Principal Secretary of State
for Foreign Affairs,
Foreign Office,
LONDON, S.W.1.

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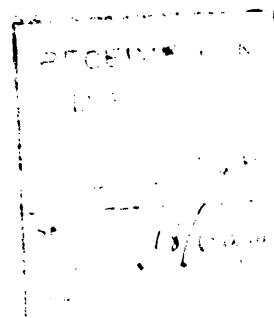
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Registry
No. E7973/1102/31

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LT.

Draft.
Egyptian Ambassador



22 June

21/5
18

H.M.P.S & S. for F.A. presents his compliments to
the E.A. & with reference to H.E.'s note
No 1639/12-4/2 of the 11th June he
has the honour to suggest that Mr.
SABRI TAHA OSMAN & Mr AHMED
FOUAD IBRAHIM shd. make a direct
approach to

The Officer in Charge
Palestine Accounts Clearance Office
C/o G.P.O.

PLATRES
CYPRUS

who shd. be in a position to resolve
the arrears of pay due to them
from the mandatory government.

7. 17.vi.

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19

No. E 7973/1102/31.

His Majesty's Principal Secretary of State
for Foreign Affairs presents his compliments to
the Egyptian Ambassador and with reference to
His Excellency's Note No. 1639/12-4/2 of the
11th June he has the honour to suggest that
Mr. Sabri Taha ~~Omara~~ and Mr. Ahmed Fouad Ibrahim
should make a direct approach to:-

The Officer in Charge,
Palestine Accounts Clearance Office,
c/o. G.P.O.,
Platres,
Cyprus.

who should be in a position to resolve the
arrears of pay due to them from the mandatory
government.

FOREIGN OFFICE, S.W.1.

22nd June, 1948.

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E

E 7974

20

1948

PALESTINE

14 JUN 1948

Registry Number } E7974/1102/31

FROM

Royal Egyptian
Embassy

No.

1637/12-4/2

Dated

Received } 11th June
in Registry } 15th "Payments of Salaries and Pensions of Palestine
Government staff.Requests that competent authorities be approached
regarding the payment of the pension due to Dr
Ahmed Khairi late District Veterinary Inspector
in the services of the Palestine Government.

Last Paper

7973

References

(Print)

(How disposed of)

90k.
15 Jun
Dft. Mr. Clarke,
Colonial Office
(from Mr. Thirkell)
July 6

(Action
completed)

15/7

(Index)

15/7
17/7/48

Next Paper

1800

(Minutes.)

Dft. Mr. Thirkell 29.6.48

S.V. 1: vii

S.V. 5: vii

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1	1	1	1	1	1
2	2	2	2	2	2

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ROYAL EGYPTIAN EMBASSY

75 SOUTH AUDLEY STREET

LONDON W.1 1948

Ref: 1637/12-4/2.

11th June, 1948.

The Egyptian Ambassador presents his compliments to His Majesty's Principal Secretary of State for Foreign Affairs and has the honour to inform him that the Egyptian national, Dr. Ahmed Khairi has approached the Ministry of Foreign Affairs, Cairo, for help on the matter of the pension due to him for his services with the Palestine Government.

It would appear that Dr. Khairi joined the service of the Palestine Government on the 28th October, 1919 in the capacity of District Veterinary Inspector, and remained in the service of the said Government until recently when he asked to retire on medical grounds.

Owing to the recent changes in Palestine, the Egyptian Ambassador would be grateful if the Principal Secretary of State would be good enough to approach the competent authorities with a view to settling the matter of the pension of the above mentioned official and also with a view to giving a ruling on the financial arrangements which will be made for the Egyptian nationals who were employed by the Mandatory power in Palestine.

His Majesty's Principal Secretary of State
for Foreign Affairs,
Foreign Office,
LONDON, S.W.1.

E 7974

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Registry
No. E7974/1102/31

Top Secret	LT
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Draft.

W.W. Clarke
J.D. Higham
Colonial Office

from

Mr. Thirkell

*Amended till
i.e. vii*

NOTHING TO BE WRITTEN IN THIS MARGIN.

314B WL 26469/137 100m 9.46 (51) F.&S.

22
2

I am enclosing a copy of an enquiry from the Egyptian Embassy about a pension said to be due from the Palestine Government to a former District Veterinary Inspector. I shd. be grateful for your advice as to a suitable reply. I have recently, in the case of one or two similar enquiries, suggested that the Embassy refer their enquiries to the Palestine Accounts Clearance Office in Cyprus, but you will see that this letter and also on the additional point in the last paragraph of the Embassy's letter affecting Egyptian nationals who were employed by the Mandatory Government in Palestine, and perhaps you could give us something better than a mere reference to Platres that I could use by way of a reply.

J.B. doing 1

J.B.
I spoke Higham, who said he had done by recommending the Egyptians to tell any questioners to go direct to Cyprus from the C.O.'s point of view; but that the whole question is being handled by Clarke. I have therefore redrafted as an entirely fresh enquiry addressed to Clarke, who ignores my previous efforts on this subject.

E. I. vii

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23
FOREIGN OFFICE. S.W.1

5th July, 1948.

(E 7974/1102/31)

Restricted.

I am enclosing a copy of an enquiry from the Egyptian Embassy about a pension said to be due from the Palestine Government to a former District Veterinary Inspector. I should be grateful for your advice as to a suitable reply and also on the additional point in the last paragraph of the Embassy's letter about the general financial rulings affecting Egyptian nationals who were employed by the Mandatory Government in Palestine.

(J. Thirkell)

W. W. Clarke, Esq.,
Colonial Office.

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23 JUN 1948

1948

Registry Number E8450/1102/31

FROM COLONIAL OFFICE
(Mr Gutch) to Mr Beith

No. 75258/16/48

Dated 18 Jun 48

Received in Registry 23 Jun 48

Pensions of Mr A.K. Park and three other former employees of the Municipality of Jerusalem.

Encloses copy of Palestine Government Municipal Corporations Ordinance 1934, under which Messrs AK Park, JW Gill, AE Roy and A Smith were employed by Municipality of Jerusalem. On 6 April, Municipal Council granted British officials leave of absence, and Mr Park's leave expires on 11 Oct 48. Discusses problem of pension for these officers since Municipal Commission of Jerusalem ceased to function at end of Mandate. Treasury have agreed to advance payments until successor authority resumes ~~its~~ obligations, and perhaps re-employs these officers.

Last Paper

E 8427

References

(Print)

(How disposed of)

8ft) Jerusalem July 6
(from 2 Dept).
8) Mr Gutch (C/O).
Refer. July 5

(Action completed)

(Index)

Next Paper

E 8450

(Minutes.)

I have seen in a recent United Press release that the U.N. Commissioner Mr HAROLD EVANS is returning to the United States, and Jerusalem will not therefore be able to approach him as the C.O. wd. like. I attach a draft asking them to take up the question of these three men with whatever Municipal authority finally emerges.

James P. Kelly. 2:55

JD July 3

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The Church House,
25, Smith Street,
London, W.C. 1.

June 18, 1948.

E 845C

23 JUN 1948

My Reference *100/15, 40*

Your Reference

Mr. Brith,

We have received an enquiry from Mr. A.M. Park who held the post of City Engineer to the Municipality of Jerusalem about his position with regard to grant of pension in respect of his service under the Jerusalem Municipality. In addition to Mr. Park there are three other officers who would appear to be in a similar position. They are as follows:-

Mr. J.M. Hill,
Cleansing Superintendent.

Mr. M.M. Roy,
Chief Officer, Fire Brigade.

Mr. H. Smith,
Sanitary Inspector.

We have had some correspondence with Mr. Park who tells us that at the last meeting of the Municipal Commission at Jerusalem on the 6th April, 1948, the Commission decided to grant its British officials leave of absence to enable them to leave the country.

Mr. Park states that he was paid the salary of his appointment of £1,550 per annum, up to the 20th April the date on which he left Jerusalem, that he was granted leave which will expire on the 11th October, 1948,

J.G.C. Brith, Esq.

/and...

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and that he received leave salary for this period. We assume that the other officers were dealt with in precisely the same manner.

These officers' appointments are governed by the Municipal Corporations Ordinance, 1954, and there are special provisions made in sections 65 and 67 of the Ordinance. They hold pensionable appointments and are eligible for pension in accordance with Jerusalem (Municipal Pensions) Regulations, made by the Municipality of Jerusalem in 1958. I enclose a --- copy of the Ordinance but I am afraid we have no spare copies of the Pensions Regulations although these follow generally the Palestine Pensions law as applied to Palestine Government officers.

As these officers have been granted leave by the Municipal Commission of Jerusalem, which ceased to function on the termination of the Mandate, we shall have to consider before the end of their leave whether, failing continued employment on the same terms by any future municipal authority which may emerge in Jerusalem, they may be granted the pensions to which they are entitled in respect of their service. As you know, the United Nations appointed Mr. Harold Evans as Municipal Commissioner for Jerusalem and we believe that he has in fact taken up his appointment. We feel that the position with regard to the above officers might be explained to him in order that he may consider whether any of them should be required to resume the appointments previously held by them if satisfactory arrangements can be made and conditions permit. Otherwise, it would seem equitable that they should be allowed to take pension on abolition of office; the liability for payment of pension would of course fall on any successor

/Municipal...

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Yours sincerely
John Gutch
(J. Gutch)

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PALESTINE GOVERNMENT

Municipal Corporations Ordinance
1934

as amended to the 15th October, 1947

Printed by the
Government Printer
Jerusalem

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MUNICIPAL CORPORATIONS ORDINANCE, 1934
AS AMENDED TO THE 15th OCTOBER, 1947.
AN ORDINANCE TO ESTABLISH MUNICIPAL CORPORATIONS

BE IT ENACTED by the High Commissioner for Palestine, with the advice of the Advisory Council thereof :—

1. This Ordinance may be cited as the Municipal Corporations Ordinance, 1934.

2. In this Ordinance, unless the context otherwise requires, the following expressions have the meanings respectively assigned to them, that is to say :—

“Council” means the council of the municipal corporation constituted under the provisions of this Ordinance.

“Councillor” means a duly elected member of the council.

“Commissioner” means District Commissioner.

MUNICIPAL CORPORATIONS

3.—(1) The inhabitants of the areas set out in the first schedule to this Ordinance shall upon the commencement of this Ordinance be municipal corporations.

(2) If it should appear to the High Commissioner by reason of the wish of the majority of the inhabitants in any area, whether such area or any part thereof is, or is not, within the area of a municipal corporation, or for any other reason, that it is desirable that the inhabitants of an area should become a municipal corporation, he may order an enquiry to be made concerning such area and the wishes of the inhabitants thereof, by a commission upon which there shall be at least one member who is not an officer of the Government of Palestine, and may, after considering the report of such commission, at his discretion, declare by proclamation the inhabitants of such area to be a municipal corporation.

* See Petah Tiqva Municipal Corporation Proclamation, 1937 (*Gaz*: 25.3.37, *p.* 276), as amended by Petah Tiqva Municipal Corporation (Amendment) Proclamation, 1939 (*Gaz*: 26.10.39, *p.* 1151), Petah Tiqva (Variation of Municipal Area) Order (No. 2), 1939 (*Gaz*: 12.10.39, *p.* 1088) and Petah Tiqva (Variation of Municipal Area) Order (No. 3), 1939 (*Gaz*: 9.11.39, *p.* 1261).

(3) When the High Commissioner declares the inhabitants of any area to be a municipal corporation under the provisions of sub-section (2) hereof, he shall fix such dates, times and places and nominate such officers and persons for the purpose of an election, or otherwise, and do such other acts and give such directions as to the manner of holding the first and subsequent elections under this Ordinance, and as to the persons qualified to vote or

Pal. Gazette
No. 114 of
12.1.1934.

Short title.

Interpretation

No. 59 of 1946.

The inhabitants
of certain areas
to be municipal
corporations.

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Power to
abolish muni-
cipal corpora-
tions.

Variation of
municipal area.

No. 59 of 1946.

No. 59 of 1946.

to be elected at such elections, or otherwise, and as to the vesting of any property in such municipal corporation, or otherwise, as may appear to him to be necessary for applying this Ordinance to such corporation upon the constitution thereof.

4. If it should appear to the High Commissioner by reason of the wish of the majority of the townsmen of any area, or for any other reason, that it is desirable that the inhabitants of any such area should no longer be a municipal corporation, he may order an enquiry to be made concerning such area and the wishes of the townsmen thereof by a commission upon which there shall be at least one member who is not an official of the Government of Palestine and may, after considering the report of such commission, at his discretion, by proclamation abolish such municipal corporation, and shall give such directions as shall be necessary for the vesting of any property of such municipal corporation, and such property shall thereupon vest in accordance with such directions.

5.—(1) If for any reason it should appear to the High Commissioner that by reason of the wishes of the majority of the townsmen or otherwise, the area of any municipal corporation set out in the first schedule to this Ordinance, or declared by the High Commissioner under the provisions of sub-section (2) of section 3 of this Ordinance, should be altered, extended or diminished, he may order an enquiry to be made concerning such area, regard being had to any undertaking or development which is being carried out by the municipal corporation, by a commission upon which there shall be at least one member who is not an official of the Government of Palestine, and after considering the report of such commission may, at his discretion, by proclamation, alter, extend or diminish such area.

(2) The High Commissioner may, by proclamation, alter the description of a municipal area without holding an enquiry as provided in subsection (1), if such alteration of the description of such area does not alter, extend or diminish such area.

* See subsection (2) of section 3 of the Municipal Corporations (Amendment) Ordinance, 1946 which reads as follows:—

“(2) Nothing in subsection (1) shall be taken as invalidating any alteration of any municipal area or of any description of any municipal area effected or purporting to be effected before the commencement of this Ordinance † in any manner other than the manner provided by section 5 of the principal Ordinance as amended by subsection (1) of this section; and, in particular, no such alteration shall be invalid by reason only that it was effected by order.”

† 20th November, 1946.

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abolish muni-
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to be elected at such elections, or otherwise, and as to the vesting of any property in such municipal corporation, or otherwise, as may appear to him to be necessary for applying this Ordinance to such corporation upon the constitution thereof.

4. If it should appear to the High Commissioner by reason of the wish of the majority of the townsmen of any area, or for any other reason, that it is desirable that the inhabitants of any such area should no longer be a municipal corporation, he may order an enquiry to be made concerning such area and the wishes of the townsmen thereof by a commission upon which there shall be at least one member who is not an official of the Government of Palestine and may, after considering the report of such commission, at his discretion, by proclamation abolish such municipal corporation, and shall give such directions as shall be necessary for the vesting of any property of such municipal corporation, and such property shall thereupon vest in accordance with such directions.

5.—(1) If for any reason it should appear to the High Commissioner that by reason of the wishes of the majority of the townsmen or otherwise, the area of any municipal corporation set out in the first schedule to this Ordinance, or declared by the High Commissioner under the provisions of sub-section (2) of section 3 of this Ordinance, should be altered, extended or diminished, he may order an enquiry to be made concerning such area, regard being had to any undertaking or development which is being carried out by the municipal corporation, by a commission upon which there shall be at least one member who is not an official of the Government of Palestine, and after considering the report of such commission may, at his discretion, by proclamation, alter, extend or diminish such area.

(2) The High Commissioner may, by proclamation, alter the description of a municipal area without holding an enquiry as provided in subsection (1), if such alteration of the description of such area does not alter, extend or diminish such area.

* See subsection (2) of section 3 of the Municipal Corporations (Amendment) Ordinance, 1946 which reads as follows:—

“(2) Nothing in subsection (1) shall be taken as invalidating any alteration of any municipal area or of any description of any municipal area effected or purporting to be effected before the commencement of this Ordinance † in any manner other than the manner provided by section 5 of the principal Ordinance as amended by subsection (1) of this section; and, in particular, no such alteration shall be invalid by reason only that it was effected by order.”

† 20th November, 1946.

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6. The municipal corporation of an area shall bear the name of the mayor, councillors and townsmen of the area, and shall have perpetual succession, and the right to sue and be sued in its corporate name.

7.—(1) A person shall not be deemed to be a townsman for any purpose of this Ordinance unless he is enrolled as a townsman.

Qualification of townsman.

(2) A person shall not be enrolled as a townsman unless such person is possessed of the qualifications respectively set out in the second and third schedules to this Ordinance or if the municipal corporation was created under the provisions of sub-section (2) of section 3 of this Ordinance, the qualifications set out in any direction given by the High Commissioner under sub-section (3) of section 3 of this Ordinance.

(3) The High Commissioner may, if requested so to do by a resolution of a council of any municipal corporation passed by a majority of not less than two-thirds of the total number of councillors of such council,

(a) if the municipal corporation is included in the second or third schedules to this Ordinance, vary any of the qualifications set out in those schedules respectively in respect of the municipality concerned, or

(b) if the municipal corporation was created under the provisions of sub-section (2) of section 3 of this Ordinance, vary any direction as to the qualifications of persons to vote given by him under sub-section (3) of section 3 of this Ordinance.

8.—(1) Municipal corporations shall be capable of acting by a council, and such council shall exercise all the powers lawfully vested in the municipal corporation.

Municipal corporations to act by a council.

(2) The council shall consist of the number of councillors set out in the first schedule to this Ordinance, one of whom shall be mayor and one of whom shall be deputy mayor.

(3) Where any municipal corporation is created under the provision of sub-section (2) of section 3 of this Ordinance the High Commissioner shall give directions as to the number of councillors for such corporation.

(4) The High Commissioner-in-Council may by order increase or decrease the number of councillors for any municipal corporation.

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(5) (a) Notwithstanding anything contained in this Ordinance with regard to the qualifications of townsmen and councillors the High Commissioner may, at his discretion, if it appears to him necessary in the interests of the good government of Jerusalem or Haifa, having regard to the conditions prevailing therein, nominate a number of persons not exceeding two to be councillors of the municipal corporation of Jerusalem and Haifa respectively, and may at his discretion dismiss from the office of councillor any person so nominated.

(b) The number of councillors set out in the first schedule to this Ordinance shall be deemed to be increased by the number of councillors so nominated until such nominated councillors cease to hold office.

(c) A councillor so nominated shall be a councillor for all the purposes of this Ordinance and shall have all the powers and be subject to the liabilities of an elected councillor and shall, subject to the provisions of paragraph (a) hereof, hold office for the life of the council to which he is nominated.

Councillors.

9. The councillors shall be fit persons elected by the townsmen as in this Ordinance provided.

Duration of Council.

10.—(1) In this section, the expression 'date of completion of election', in relation to the election of a Council, means the date following the day on which the filling of all places on the Council is finally completed by election in pursuance of section 18 or sub-section (2) of section 38, as the case may be, in such circumstances that the election of none of the councillors can any longer be questioned by or by reason of an election petition.

No. 59 of 1946.

For the purposes of this section, a place on a Council shall be deemed to be filled in such circumstances that the election of the councillor can no longer be questioned as aforesaid, on the date on which —

(a) a period of fifteen days contemplated by paragraph (b) of section 36 has expired, if no election petition is presented within that period, or

(b) if an election petition has been presented and is dismissed otherwise than on the merits, the date on which notification of his due election is published in accordance with subsection (1) of section 38, or

(c) if his due election has been determined by the Court under paragraph (b)(i) or (b)(ii) of subsection (2) of section 37, on the date on which notification of his due election has been published in accordance with subsection (2) of section 38.

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(2) Subject to the provisions hereafter in this Ordinance contained, the duration of a council elected under the provisions of this Ordinance shall be —

(a) in the case of the first council of any of the municipal corporations set out in the first schedule, until and including the 31st day of December, 1939;

(b) in the case of the first council of a municipal corporation which has been created or is hereafter created under subsection (2) of section 3, until the expiry of five years from the date of completion of election of that council;

(c) in the case of a council of any of the municipal corporations referred to in paragraph (a) or (b) of this subsection elected subsequently to the election of the first council thereof, until the expiry of five years from the date of completion of election of that council:

Provided that if for any reason any election of a new council is not held in accordance with the provisions of this Ordinance, or if the date of completion of election of the new council is subsequent to the expiry of the period provided for above in this sub section, the duration of the council shall extend until the date of completion of election of the new council.

* See subsection (2) of section 4 of the Municipal Corporations (Amendment) Ordinance, 1946, which reads as follows:—

“(2) No act which before the commencement of this Ordinance † was done by any body purporting to act as a municipal council under the principal Ordinance, or by any person on behalf of such body, shall be invalidated by reason only that at the time such act was done the duration of such council had expired under section 10 of the principal Ordinance, whether as in force before the commencement of this Ordinance † or as enacted by subsection (1) of this section.”

† 20th November, 1946.

11.—(1) A person shall not be qualified to be elected or to be a councillor for any area if —

(a) he is an undischarged bankrupt, or

(b) he is a paid servant or officer of the Government of Palestine, or is an officer or employee of any municipal corporation or other local authority, or

(c) he is not enrolled, or entitled to be enrolled, as a townsman of the area,

and unless he is possessed of the qualifications set out in the fourth and fifth schedules to this Ordinance.

Qualification of
councillors.

No. 59 of 1946.

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(2) The High Commissioner may, if requested so to do by a resolution of a council of any municipal corporation passed by a majority of not less than two-thirds of the total number of councillors of such council,

(a) if the municipal corporation is included in the fourth and fifth schedules to this Ordinance, vary any of the qualifications set out in those schedules in respect of the municipality concerned, or

(b) if the municipal corporation was created under the provisions of sub-section (2) of section 3 of this Ordinance, vary any direction as to the qualifications of the townsmen to be elected given by him under sub-section (3) of section 3 of this Ordinance.

(3) For the purposes of the fourth and fifth schedules to this Ordinance, a person is said to reside in any dwelling in which he sometimes uses a sleeping apartment although he does not use it uninterruptedly or has elsewhere a dwelling where he has, and sometimes uses, another such apartment. A person does not, for the purposes aforesaid, cease to reside in a dwelling where he has such an apartment merely because he is absent from it, if there is the liberty of returning at any time and no abandonment of the intention to return at pleasure.

12. The High Commissioner may, whenever it appears to him desirable that the election of councillors for any municipal area should be by divisions, by Order to be published in the *Gazette*, divide such municipal area into such divisions as shall appear to him to be convenient, and determine the number of councillors to represent each such division.

13.—(1) The Commissioner shall as soon as may be possible after the commencement of this Ordinance and thereafter from time to time appoint for each municipal corporation within his District a committee to be known as the electoral committee to prepare, or to revise the register of voters and to supervise the elections. All expenses in connection with the preparation or revision of the register of voters, and the nomination and election of candidates by poll or otherwise, shall be defrayed from the municipal fund.

(2) The electoral committee shall consist of such number of persons who are entitled to vote at the elections of councillors for the municipal corporation as the Commissioner shall appoint:

Provided that the Commissioner may appoint thereto one or more officers of the Government of Palestine.

(3) The Commissioner shall appoint one member thereof to be chairman of the electoral committee.

Division of
municipal areas
for purposes
of election.

Electoral
committee.

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Division of
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(4) The Commissioner may at any time appoint one or more new or additional members of an electoral committee or a new electoral committee and, in the latter case, may, without prejudice to his powers under subsection (1) appoint such committee to do or complete the work which was assigned to any electoral committee which has ceased to function.

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14.—(1) There shall be for each municipal corporation a list of townsmen entitled to vote at the election of the councillors which shall be called the register of voters for the municipal corporation.

Preparation of register of voters.

(2) The electoral committee shall, on a date to be prescribed by the Commissioner, commence to prepare the register of voters from the assessment list of the municipal corporation, and from any applications which may be made to them or otherwise, and shall in like manner commence to revise such register in each year on a date prescribed by the Commissioner.

No. 59 of 1946.

The electoral committee may call upon any person to produce receipts for any rates or taxes which such person claims to have paid.

Any person desiring so to do, may send particulars of his claim to be enrolled to the electoral committee in the form contained in the sixth schedule to this Ordinance.

(2A) If an electoral committee in the opinion of the Commissioner, after warning by him —

No. 59 of 1946.

(a) has ceased to perform the functions imposed upon it by this Ordinance, or

(b) is acting in such manner as will render it unable efficiently to discharge all or any of such functions, or

(c) is carrying out such functions so dilatorily or otherwise in such a manner as to defeat the purposes for which it was appointed,

the Commissioner may terminate the appointment of such committee.

(3) The register of voters shall be in the form set out in the sixth schedule to this Ordinance and shall contain the full name, age and place of abode of each townsman entitled to vote, and shall show whether each townsman is eligible for election as a member of the council, and shall be arranged alphabetically:

Provided that where the municipal area has been divided into divisions the register of voters shall be prepared so as to show alphabetically the townsmen entitled to vote in each division in respect of premises in such division:

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Provided also that where the name of the person appears in the register of voters as entitled to vote in more than one division, such person shall elect by giving notice to the electoral committee the division in which he desires to vote and the electoral committee shall, thereupon, record such election in the register of voters. Such election may be changed by such person upon any revision of the register of voters but not otherwise.

(4) So soon as it shall have been prepared or revised the register of voters shall be posted at the municipal offices in such a manner that the public may have convenient access thereto, and on or near the door of such places of worship or other public buildings within the municipal area as shall be determined by the electoral committee.

Objections to
register of
voters.

15.—(1) Within fourteen days of the publication of the register of voters,

(a) every person whose name is not in such register and who claims that it should be inserted therein, and

(b) every person whose name is in such register who objects to the insertion of the name of any other person therein, may give notice in writing to the electoral committee of such claim or objection stating the grounds therefor in the form in the sixth schedule to this Ordinance.

No. 37 of 1947.

(2) As soon as possible after the receipt of any such claim or objection, the electoral committee shall consider the same in the presence of the person making it, and in the case of an objection in the presence of the person objected to :

Provided that if the person making the claim or objection, or the person objected to, shall fail to appear before the committee at the time appointed by the committee for the consideration of the claim or objection the committee may proceed to consider the claim or objection notwithstanding such absence.

* See subsection (2) of section 2 of the Municipal Corporations (Amendment) Ordinance, 1947 which reads as follows :—

“(2) Any consideration which has been given by any electoral committee to any claim or objection prior to the coming into force of this Ordinance † shall be deemed to have been validly given if it would have been validly given if this section had been enacted immediately after the coming into force of the principal Ordinance.”

† 20th November, 1946.

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(3) After considering such claim or objection the electoral committee shall give its decision thereon, and shall if necessary amend the register of voters.

(4) The decision of the electoral committee shall be obtained by vote, each member thereof having one vote :

Provided that if there is an equality of votes the chairman shall have a second or casting vote.

16.—(1) The claimant or objector or the person objected to may within seven days from the date of adjudication by the electoral committee appeal to a District Court consisting of the President sitting alone on any question of law involved in the adjudication, but not on any other ground.

Appeal to
District Court.

(2) The appellant in his appeal shall name as the respondent :

- (a) the electoral committee, if the appellant is a claimant,
- (b) the person objected to, if the appellant is an objector, or
- (c) the objector, if the appellant is a person objected to.

(3) The appellant shall within three days of filing his appeal serve the respondent with a copy thereof either personally or by leaving it at his last known place of abode and shall within three days of such service file in the District Court a declaration stating the time, place and circumstances of such service.

(4) The District Court, after hearing the appellant and the respondent or their respective advocates, shall make such order as to the insertion or omission of the name of the appellant or the erasure or continuance of the name of the person objected to in the register of voters and as to the payment of the costs as it thinks just, and the electoral committee shall forthwith comply with such order, if it directs the insertion or erasure of any name in such register.

(5) The decision of the electoral committee if there is no appeal therefrom to the District Court and the decision of the District Court if there is an appeal thereto shall respectively be final, and no appeal shall lie therefrom to the Supreme Court or any court.

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Register of
voters to be
signed.

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Holding of
elections.

17.—(1) After all claims or objections submitted in accordance with subsection (1) of section 15 have been considered by the electoral committee and the register of voters has, if necessary, been amended in accordance with subsection (3) of section 15, or, if no claims or objections have been submitted, after the register of voters has been posted for a period of fourteen days, the chairman of the electoral committee shall sign the register by signing each page thereof.

Provided that if there is any appeal to the District Court the chairman of the electoral committee shall not sign the register of voters until the District Court has given its decision, when the register of voters shall be amended (if necessary) in accordance with the decision of the Court :

Provided also that if for any reason the chairman of the electoral committee shall refuse or neglect to sign the register the Commissioner may sign the register.

(2) When the chairman of the electoral committee or the Commissioner has signed the register of voters it shall thereupon become the register of voters for the municipal corporation.

18. The High Commissioner may by notice in the *Gazette* prescribe the date for the holding of elections for councillors either generally or in respect of any particular municipal corporation,

(a) for the first elections after the commencement of this Ordinance :

Provided that the date prescribed for the holding of any such first election shall not be such as to curtail the term of office for which any municipal council or the local council of Tel Aviv was elected prior to the commencement of this Ordinance and which is current upon the commencement of this Ordinance.

(b) for the election of a council to replace the first, or any subsequent, council, in accordance with the provisions of this Ordinance,

(c) for any by-election to fill any vacancy in any council :

Provided that if an election is not held at the prescribed date it shall be held on the next day following (not being a public holiday) the prescribed date. If the election is not held on such

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19. The Commissioner shall appoint a returning officer for each municipal area in which an election is to be held, or :

Provided that if such area has been divided into divisions the Commissioner may

- (a) appoint a returning officer for each division, or
- (b) appoint a returning officer for any group of divisions.

20. The High Commissioner may make regulations either generally or for any particular municipal corporation, providing,

Nomination of candidates and method of election.

- (a) for the nomination of candidates for the council, and
(b) for the method of their election and matters incidental thereto, and
(c) for deposits by candidates, and
(d) for a return of election expenses by candidates :

Provided that until amended or revoked by any such regulations, the regulations in the seventh and eighth schedules to this Ordinance shall apply to the nomination and election of councillors for the municipal corporations mentioned therein :

Provided also that no person shall be nominated for election as a councillor,

- (a) for more than one municipal corporation, or
- (b) for more than one division of a municipal area, or
- (c) if he is a member of any local council.

21. Every person who,

Certain offences
at elections.

- (a) forges or fraudulently (*sic*) defaces or destroys any nomination paper or party list, or delivers to the presiding officer any nomination paper or party list, knowing the same to be forged, or

- (b) wilfully obstructs, or by threats or violence interferes with, any voter while on the way to vote or while in the polling station, or

- (c) without due authority takes, opens or otherwise interferes with any ballot box, or

(d) in any way wilfully interrupts or impedes an election, shall be guilty of an offence and shall on conviction be liable to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment.

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Personation.

22. Any person who at an election held under this Ordinance applies to vote in the name of some other person, whether that name be that of a person living or dead or of a fictitious person, or who, having voted once in his own name at any such election, applies again at the same election to vote in his own name, shall be guilty of the offence of personation, and every person so guilty or who is guilty of the offence of aiding, abetting, counselling, or procuring the offence of personation, shall on conviction be liable to a fine not exceeding twenty pounds, or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment.

Treating.

23.—(1) Any person who corruptly by himself or by any other person, either before, during or after an election held under this Ordinance, directly or indirectly, gives or provides, or pays wholly or in part the expense of giving or providing any meat, drink, entertainment or provision to or for any person, for the purpose of corruptly influencing that person, or any other person, to give or refrain from giving his vote at such election or on account of such person or any other person having voted or refrained from voting, or being about to vote or refrain from voting, at such election, shall be guilty of the offence of treating, and shall on conviction be liable to a fine not exceeding twenty pounds, or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment.

(2) Every elector who corruptly accepts or takes any such meat, drink, entertainment or provision shall be guilty of the offence of treating, and shall on conviction be liable to the penalties specified in sub-section (1) hereof.

Undue influence.

24. Every person who, directly or indirectly, by himself or by any other person on his behalf, makes use of or threatens to make use of any force, violence or restraint or inflicts or threatens to inflict, by himself or any other person any temporal or spiritual injury, damage, harm or loss upon or against any person in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election held under this Ordinance, or who by abduction, duress or any fraudulent device or contrivance impedes or prevents the free exercise of the franchise of an elector or thereby compels, induces or prevails upon any elector either to give or refrain from giving his vote at any such election, shall be guilty of the offence of undue influence, and shall on conviction be liable to a fine not exceeding twenty pounds, or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

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Bribery.

25.—(1) The following persons shall be deemed guilty of the offence of bribery, and shall on conviction be liable to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding three months or to both such fine and imprisonment :—

(a) Every person who, directly or indirectly, by himself or any other person on his behalf, gives, lends, or agrees to give or lend, or offers, promises, or promises to procure or to endeavour to procure, any money or valuable consideration to or for any elector or to or for any person on behalf of any elector, or to or for any other person, in order to induce any elector to vote or refrain from voting, or corruptly does any such act as aforesaid on account of such elector having voted or refrained from voting at any election held under this Ordinance;

(b) Every person who, directly or indirectly, by himself or by any other person on his behalf, gives or procures, or agrees to give or procure, or offers, promises to procure or to endeavour to procure, any office, place or employment to or for any elector or to or for any person on behalf of any elector or to or for any other person in order to induce such elector to vote or refrain from voting, or corruptly does any such act as aforesaid on account of any elector having voted or refrained from voting at an election held under this Ordinance;

(c) Every person who, directly or indirectly, by himself or by any other person on his behalf, makes any such gift, loan, offer, promise, procurement or agreement as aforesaid to or for any person in order to induce such person to procure or endeavour to procure the return of any person as a member of the council, or the vote of any elector at an election held under this Ordinance;

(d) Every person who, upon or in consequence of any such gift, loan, offer, promise, procurement or agreement, procures or engages, promises or endeavours to procure the election of any person as a member of the council, or the vote of any elector at any election held under this Ordinance;

(e) Every person who advances or pays or causes to be paid any money to or for the use of any other person, with the intent that such money or any part thereof shall be expended in bribery at any election held under this Ordinance or who shall knowingly pay or cause to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery any such election :

Provided always that the provisions of this section shall not extend or be construed to extend to any money paid or agreed to be

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paid for or on account of any legal expenses bona fide incurred at or concerning any election held under this Ordinance.

The following persons shall also be deemed guilty of the offence of bribery, and shall on conviction be liable to the penalties specified in sub-section (1) hereof :—

(a) Every elector who, before or during an election held under this Ordinance, directly or indirectly, by himself or by any other person on his behalf, receives, agrees or contracts for any money, gift, loan or valuable consideration, office, place or employment, for himself or for any other person, for voting or agreeing to vote or for refraining or agreeing to refrain from voting at any such election :

(b) Every person who, after any election held under this Ordinance, directly or indirectly, by himself or by any other person on his behalf, receives any money or valuable consideration on account of any person having voted or refrained from voting or having induced any other person to vote or refrain from voting at any such election.

Disqualification
for bribery, etc.

26. Any person who is convicted under this Ordinance, of bribery, treating, undue influence, illegal practice or personation or of aiding, counselling or procuring the commission of the offence of personation, shall, in addition to any other punishment,

(a) cease, if he shall be a member thereof, to be a member of the council in the election for which such offence was committed, and

(b) be disqualified from voting at and from being a candidate at any election for a council for such period, not exceeding seven years, as the court upon such conviction shall order.

Certain expen-
diture to be
illegal practice.

27.—(1) No payment or contract for payment shall, for the purpose of promoting or procuring the election of a candidate to a council, be made,

(a) on account of the conveyance of the electors to or from the poll whether for the hiring of horses or carriages or motor vehicles or for railway fares or otherwise, or

(b) on account of the hire of any committee room or other premises in connection with the election in excess of the number of such rooms or premises as shall be authorised by the Commissioner for any election.

(2) If any payment or contract for payment is knowingly made in contravention of this section either before, during or after an election the person making such payment or contract shall be

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guilty of an illegal practice, and the person receiving such payment or being a party to any such contract knowing the same to be in contravention of this Ordinance shall be guilty of an illegal practice.

28.—(1) No payment or contract for payment shall for the purpose of promoting or procuring the election of a candidate to a council be made on account of bands of music, torches, flags, banners, cockades, ribbons or other marks of distinction.

(2) If any payment or contract for payment is made in contravention of this section either before, during or after an election the person making such payment shall be guilty of an illegal payment and any person being party to such contract or receiving such payment shall be guilty of illegal payment if he knew that the same was contrary to law.

29.—(1) No person shall, for the purpose of promoting or procuring the election of a candidate, be engaged or employed by or on behalf of such candidate for payment or promise of payment for any purpose or in any capacity whatever, except as follows, that is to say :

(a) a number of persons may be employed, not exceeding two as clerks and messengers, or in either capacity, and

(b) one polling agent may be employed in each polling station :
Provided that this section shall not apply to any engagement or employment for carrying into effect a contract bona fide with any person in the ordinary course of business.

(2) If any person is engaged or employed in contravention of this section, either before, during or after an election, the person engaging or employing him shall be guilty of illegal employment, and the person so engaged or employed shall also be guilty of illegal employment if he knew that he was engaged or employed in contravention of this Ordinance.

30. The provisions of this Ordinance prohibiting certain payments and contracts for payment, and the payment of any sum, and the incurring of any expense, in excess of a certain maximum, shall not affect the right of any creditor who, when the contract was made or the expense was incurred, was ignorant of the same being in contravention of this Ordinance.

31.—(1) No sum shall be paid and no expense shall be incurred by or on behalf of a candidate at an election for a council whether before, during or after an election on account of or in respect of the conduct or management of such election save that a sum may be paid and expenses incurred not in excess of fifteen pounds :

Certain expenditure to be illegal.

Certain employment to be illegal.
No. 6 of 1945.

Saving for creditors.

Limit of election expenses.

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Provided that where there are two or more joint candidates the maximum amount of expenses shall, if there are two joint candidates, for each such joint candidate be reduced by one-fourth, or if there are more than two joint candidates by one-third.

(2) Where two or more candidates at an election, by themselves or any agent or agents, hire or use the same committee rooms or premises for such election, or employ or use the services of the same clerks, messengers or polling agent at such election, or publish a joint address or joint circular or notice at such election, those candidates shall be deemed for the purposes of this section to be joint candidates at such election.

(3) Any candidate who acts in contravention of this section shall be guilty of an illegal practice.

Penalty for
illegal practice.

32. Any person guilty of an illegal practice as in this Ordinance provided shall be guilty of an offence and shall on conviction be liable to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

Penalty for
illegal payment
or employment.

33.—(1) Any person guilty of an offence of illegal payment or employment as in this Ordinance provided shall, on conviction, be liable to a fine not exceeding twenty pounds.

(2) Where an offence of illegal payment or employment is committed by a candidate, or with his knowledge and consent, such candidate shall be guilty of an illegal practice.

Limitation of
prosecutions.

34. Notwithstanding anything in any other Ordinance contained prosecutions for personation, treating, undue influence or bribery or illegal practice, illegal payment or illegal employment under this Ordinance shall only be instituted,

(a) within fifteen days of the publication in the *Gazette* of the result of the election at which the offence is alleged to have been committed, and

(b) by the police, with the consent of the Commissioner.

Power to
question muni-
cipal election
by petition.

35.—(1) The election of any councillor to a council may be questioned by an election petition on the ground,

(a) that the election was avoided by bribery, treating, undue influence or personation, as provided by this Ordinance, or

(b) that illegal practices or illegal payment or employment may be reasonably supposed to have affected the result of the election, or

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(c) that the person elected was at the time of the election disqualified from being elected under this Ordinance, or

(d) that the person elected was not duly elected by a majority of lawful votes.

(2) Subject to the provisions of section 26 of this Ordinance, the election of a councillor shall not be questioned on any of the grounds set out in sub-section (1) hereof save by an election petition.

36. An election petition shall be presented,

(a) to a District Court, and

(b) within fifteen days of the publication in the *Gazette* of the result of the election in respect of which the petition is presented, and

(c) by one or more of the following persons :—

(i) any person who voted or had a right to vote at the election in respect of which the petition is presented, or

(ii) any person who claims to have had a right to be returned or elected at such election, or

(iii) any person who alleges himself to have been a candidate at such election, or

(iv) the Attorney-General.

37.—(1) Every election petition shall be tried by a President of a District Court either alone or with such other judges as the Chief Justice may direct.

(2) At the conclusion of the trial of an election petition the Court shall—

(a) dismiss the petition otherwise than on the merits thereof, or

(b) determine—

(i) whether the candidate of whose election complaint has been made was duly elected, or

(ii) whether any other person, and, if so, which person, was duly elected, or

(iii) whether the election was void, and shall certify such dismissal or determination to the High Commissioner, and upon such certificate being given such dismissal or determination shall be final.

Presentation of
election
petition.

Trial of
election
petition.

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Declaration by
High Com-
missioner.
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Power to make
rules for
conduct of
petition.
Offences by
candidate.

Avoidance of
election for
extensive illegal
practice, etc.

38.—(1) Where under section 37 a certificate is given by a Court to the effect that an election petition is dismissed otherwise than on the merits, the High Commissioner shall notify such dismissal in the *Gazette*, and thereupon the person to whom the petition related shall be deemed to have been duly elected :

Provided that the High Commissioner shall not notify such dismissal as aforesaid unless or until the time for filing election petitions in the case in question has passed, and shall not then notify such dismissal as aforesaid if another election petition is pending in the case in question or if a notification has already been made in the place in question in accordance with subsection (2) or (3).

(2) Where under section 37 a certificate is given by a Court to the effect that an election petition has been determined as set out in paragraph (b) (i) or (b) (ii) of subsection (2) of that section, the High Commissioner shall, by notification in the *Gazette*, declare whether the candidate whose election was questioned by such petition or any other, and if so which, person is duly elected, and thereupon such person shall be deemed to have been duly elected accordingly.

(3) Where under section 37 a certificate is given by a Court to the effect that an election was void, the High Commissioner shall, by notification in the *Gazette*, appoint a date for the election of a candidate or candidates for the Council concerned, and thereupon an election shall be held accordingly.

39. The Chief Justice, with the approval of the High Commissioner, may make rules of court for regulating the practice and procedure to be observed on election petitions.

40.—(1) The election of a candidate shall be avoided and shall be invalid if he commits in connection with his election any of the following offences as provided in this Ordinance, that is to say—personation, treating, undue influence, bribery or illegal practice.

(2) A candidate shall be deemed for the purpose of this section to commit an offence if it is committed with his knowledge and consent or by any person who is acting under the special authority of such candidate with reference to the election.

41. Where upon the trial of an election petition respecting a municipal election it is found by the court that illegal practices or offences of illegal payment or employment committed in reference to such election for the purpose of promoting the election of a candidate at that election have so extensively prevailed that they may be reasonably supposed to have affected the result of that election the court may certify, under the provisions of section 37 of this Ordinance, the election of such candidate, if he was elected, to be void.

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42. No election shall be invalid by reason only of any non-compliance with the regulations in the seventh and eighth schedules to this Ordinance if it appears that the election was conducted in accordance with the principles laid down in such regulations, or that such non-compliance did not affect the result of the election.

43. Every bill, placard or poster having reference to a municipal election shall bear upon the face thereof the name and address of the printer and publisher thereof, and any person printing, publishing or posting, or causing to be printed, published or posted, any such bill, placard or poster as aforesaid, which fails to bear upon the face thereof the name and address of the printer and publisher, shall, if he is a candidate, be guilty of an illegal practice, and if he is not a candidate, on conviction be liable to a fine not exceeding twenty-five pounds.

44. Any person,

(a) who knowingly accepts or enters upon and acts in the office of councillor without possessing the qualifications required by the provisions of section 11 of this Ordinance, or

(b) who knowingly continues to act as a councillor after he has ceased to be qualified in accordance with the provisions of section 11 of this Ordinance, shall be guilty of an offence and shall on conviction be liable to a fine not exceeding two hundred and fifty pounds, and in addition may be disqualified from voting at or from being a candidate at any election for a council for such period not exceeding seven years as the court upon such conviction shall order.

45. Any councillor who is concerned directly or indirectly by himself, his wife or his agent or his partner in any loan or bargain or contract entered into with the municipal corporation of which he is a councillor, or participates in the profit of any such bargain or contract, or in the profit of any work done under the authority of such corporation, shall be guilty of an offence, and shall on conviction be liable to a fine not exceeding two hundred and fifty pounds :

Provided that a councillor shall not be guilty of an offence under this section by reason only,

(a) that he is interested in any newspaper in which any advertisement relating to the affairs of such corporation is inserted, or

Non-compliance with regulations as to elections and polls.

Name and address of printer on placards, etc.

Unqualified person acting as councillor.

Councillor interested in contract.

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(b) that he is interested in any contract between such corporation and any company with limited liability of which he is a shareholder, or any co-operative society of which he is a member, provided that he is not a director, manager, officer or agent of such company or of such co-operative society :

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Provided further that a councillor shall not be guilty of an offence under this section if—

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(a) he is not present at the meeting or meetings of the council, or of a committee appointed under the provisions of section 60, at which the contract or other matter in which he is directly or indirectly concerned as aforesaid is being considered, and does not vote in connection therewith, and

(b) before such meeting, or the first of such meetings, he gives notice in writing to the mayor or the town clerk, or, in the case of a committee as aforesaid, to the chairman of such committee, to the effect that he is so concerned in the contract or other matter as aforesaid, and such notice is notified to the other councillors, or, in the case of a committee as aforesaid, to the other members of the committee, before or at the meeting and is recorded in the minutes of the meeting.

Resignation of councillor.

46. A councillor may resign his office by giving notice in writing to the mayor.

Absence of councillor from meeting of council.

47. If any member of a council, including the mayor or deputy mayor, shall fail to attend at the ordinary meetings of the council for three consecutive months, such person shall thereupon become disqualified to sit as a councillor, and his place upon the council shall be deemed to be vacant :

Provided that the provisions of this section shall not apply to any councillor whose absence from the council is due to illness or is with the permission of the council :

Provided also that any person who has become disqualified under the provisions hereof may within fourteen days of such disqualification appeal to the High Commissioner-in-Council whose decision shall be final and conclusive :

Provided also that where any person aggrieved appeals to the High Commissioner-in-Council his place on the council shall not be deemed to be vacant until the High Commissioner-in-Council has given his decision.

Death, etc. of councillor.

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48. If any councillor shall die or become disqualified or resign, or for any other reason cease to hold office as a councillor, his place upon the council shall thereupon be filled by the holding of a by-election upon a date to be prescribed by the High Commissioner :

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Provided that if any councillor dies or otherwise becomes incapable as hereinbefore provided within three months prior to the date when the duration of the council expires, the High Commissioner may, at his discretion, refrain from prescribing a date for the holding of a by-election, and no by-election shall be held :

Provided also that if the councillor dying or vacating his seat was elected under a system of proportional representation the vacancy shall be filled by the candidate on the party list of such member at the preceding elections who obtained the largest number of votes after the last candidate on that list who was elected, or, if there was no such first-mentioned candidate, by a person to be nominated by the High Commissioner.

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(2) Any person who becomes a member of any municipal council by virtue of the provisions of subsection (1) shall hold office for the duration of the council of which he so becomes a member.

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49.—(1) The first council of any municipal corporation elected after the commencement of this Ordinance shall come into office on a date to be prescribed by the High Commissioner by notice published in the *Gazette* either generally or in respect of any council.

Coming into office of council.

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(2) Any council elected at any election held in accordance with the provisions of this Ordinance subsequent to the first election so held shall come into office immediately after the expiration of the duration of the preceding council.

* See subsection (2) of section 13 of the Municipal Corporations (Amendment) Ordinance, 1946, which reads as follows :—

“(2) No act which prior to the commencement of this Ordinance † has been done by any body purporting to act as a municipal council under the principal Ordinance, or by any person on behalf of such body, shall be invalidated by reason only that at the time such act was done such body has not yet come into office as a municipal council.

† 20th November, 1946.

50.—(1) The High Commissioner shall from time to time appoint a councillor to be mayor who shall hold office as mayor for the duration of the council of which he is a member.

Appointment and dismissal of mayor.

(2) The High Commissioner may if in his opinion it is in the interests of the municipal corporation so to do dismiss a mayor from the office of mayor.

51.—(1) The High Commissioner may from time to time appoint a councillor to be deputy mayor and such councillor shall hold office as deputy mayor for the duration of the council of which he is a member :

Appointment, dismissal and duties of deputy mayors.
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Provided that if, in the opinion of the High Commissioner, it is in the interests of any municipal corporation so to do, he may appoint more than one councillor to be deputy mayor and such councillors shall hold office as deputy mayors for the duration of the council of which they are members.

(2) The High Commissioner may, if in his opinion it is in the interests of the municipal corporation so to do, dismiss a deputy mayor from the office of deputy mayor.

(3) If for any reason the mayor is unable to act, or the office of mayor is vacant, then—

(a) where the High Commissioner has exercised the power vested in him by subsection (1), the deputy mayor shall perform the duties and exercise the powers assigned to the mayor by this Ordinance or by any other enactment or law;

(b) where the High Commissioner has exercised the power vested in him by the proviso to subsection (1), the High Commissioner shall nominate the deputy mayor who shall perform this Ordinance or by any other enactment or law; the duties and exercise the powers assigned to the mayor by

(c) where the High Commissioner has not exercised any of the powers vested in him by subsection (1), or if, where the High Commissioner has exercised such powers, the deputy mayor or deputy mayors is or are for any reason absent from duty, a councillor to be appointed by the High Commissioner shall perform the duties and exercise the powers assigned to the mayor by this Ordinance or by any other enactment or law until such time as—

(i) if the High Commissioner has not exercised the powers vested in him by subsection (1), the mayor returns to duty, or

(ii) if the High Commissioner has exercised any of the powers vested in him by subsection (1), the deputy mayor, if one deputy mayor has been appointed, returns to duty, or a deputy mayor, if more deputy mayors than one have been appointed, is nominated by the High Commissioner under paragraph (b) of this subsection, as the case may be.

51A. A deputy mayor, or any official of the council appointed in accordance with the provisions of subsection (1) of section 85, may perform such of the duties and exercise such of the powers assigned to the mayor by this Ordinance or any other enactment or law as may be delegated to him by the mayor with the general or special approval of the council and of the Commissioner.

Delegation of
duties and
powers of
mayor.
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52.—(1) The mayor may resign by giving notice in writing to the Commissioner and to the council.

(2) A deputy mayor may resign by giving notice in writing to the mayor.

53.—(1) The mayor and any deputy mayor respectively may receive from the municipal fund such salary as may from time to time be fixed by the High Commissioner.

(2) Where a mayor has died in office after having served as mayor for not less than five years, the council may, subject to the approval of the High Commissioner, which approval the High Commissioner may grant if satisfied that necessity exists, pay out of the municipal fund a gratuity or gratuities to any dependants or members of the family of such mayor up to an amount not exceeding in the aggregate his salary for one year.

CONDUCT OF MUNICIPAL BUSINESS.

54. The meetings of councils and the calling of such meetings and the proceedings thereat shall be regulated by regulations from time to time to be made in that behalf by each council :

Provided that until such regulations are so made the meetings of councils and the calling of such meetings and the proceedings thereat shall be regulated by the regulations contained in the ninth schedule to this Ordinance,

Provided also that every regulation made by a council under this section shall be subject to the approval of the Commissioner, and shall not come into operation until it has been approved by him and published in the *Gazette*.

55. If for any reason and at any time the number of councillors falls below the number provided for a quorum by the regulations contained in the ninth schedule to this Ordinance, or if such regulations have been replaced by regulations made under the preceding section then by the regulations so made the High Commissioner may direct :—

- (a) that the council shall be deemed to have expired, or
- (b) that elections shall be held to fill the vacancies in the council, or
- (c) may nominate persons qualified to be elected members of the council to be councillors to fill the vacancies.

56. Subject to the provision of the preceding section no act or proceedings of any council nor of any committee of any council shall be deemed to be invalid by reason only of any vacancy in the council.

Resignation of
mayor and
deputy mayor.

Salary of
mayor and
deputy mayor.
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Meetings and
proceedings of
council.

Number of
councillors
falling below
quorum.

Effect of
vacancy in
council or
committee.

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Quorum.

57. For the purpose of ascertaining the number of councillors necessary to form a quorum of the council the total number of councillors to be elected shall be deemed to have been elected.

Presumption of
due constitution
of council or
committee.

58. Unless and until the contrary is proved every meeting of a council or of a committee thereof at which a resolution has been taken shall be deemed to have been duly convened and held and all persons present thereat other than any officer of the Government of Palestine present at any meeting of a committee of a council to which he has been appointed as an advisory member by the Commissioner under sub-section (2) of section 60 of this Ordinance shall be deemed to have been duly qualified councillors, and where the proceedings are the proceedings of a committee such committee shall be deemed to have been duly constituted and to have had power to deal with the matter set out in any record of any resolution taken, and the record of resolutions taken at meetings of a council kept in accordance with the regulations contained in the ninth schedule to this Ordinance or made under the provisions of section 54 of this Ordinance shall be received in evidence without further proof.

Executing
decisions
of council.

59. It shall be the duty of the mayor or in his absence the deputy mayor,

(a) to see that every decision of the council is duly executed and,

(b) where such decision necessitates the expenditure of municipal funds to see that such decision is in accordance with the approved estimates, or is otherwise in accordance with the provisions of this Ordinance or any other Ordinance or law.

Committees of
the council.

60.—(1) Subject to the provisions of the following sub-sections a council may from time to time appoint from among the members thereof such committees either special or general and consisting of such number of councillors as the council thinks fit for any purpose which in the opinion of the council would be better regulated or managed by means of a committee :

Provided that the appointment of members of such committees shall be subject to the approval of the Commissioner.

(2) The council may from time to time appoint from among the members thereof a committee or committees consisting of such number of councillors as the council thinks fit for the purpose of regulating and supervising all or any of the following matters, that is to say :—

- (a) streets and highways,
- (b) supply of water,

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- (c) sewage and drainage,
- (d) town planning,
- (e) tenders received by the council :

Provided that the appointment of members of such committees shall be subject to the approval of the Commissioner :

Provided also that the Commissioner may from time to time appoint any person being an officer of the Government of Palestine to be an advisory member of any committee appointed under the provisions of this sub-section.

(3) The council shall appoint one member of any committee to be the chairman thereof. Where in the proceedings of any committee there is an equality of votes given the chairman of the committee shall have a second or casting vote.

(4) The council may from time to time discharge, alter, discontinue or re-constitute any committee and fill vacancies therein.

Provided that any appointment of a new member to any committee made by virtue of this subsection shall be subject to the approval of the Commissioner.

(5) The decisions and proceedings of the committees appointed under the provisions of this section shall be submitted to the council for its approval.

61.—(1) If a council —

(a) is deemed to have expired under section 55, or

(b) has, in the opinion of the High Commissioner, after warning by him, either ceased to perform the functions imposed upon it by this Ordinance or any other Ordinance or law, or is acting in such a manner as will render it unable to discharge all or any of such functions,

the High Commissioner may—

(i) order a general election to be held for the election of a new council and prescribe the date therefor, or

(ii) nominate a council from among persons qualified to be councillors, or

(iii) nominate a commission to perform the duties of the council.

(2) The duration of any commission or council nominated by the High Commissioner under subsection (1) shall be until the High Commissioner shall order the holding of an election or shall otherwise order.

(3) Any commission or council nominated by the High Commissioner under subsection (1) shall have **all the powers** and duties vested in the council by this Ordinance or by **any other Ordinance** or law.

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Power of High Commissioner in certain cases.

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(4) (a) Where a commission has been nominated by the High Commissioner under subsection (1), the High Commissioner shall appoint a member of such commission to be Chairman, and, if he see fit, a member of such commission to be Vice-Chairman thereof. Such Chairman or Vice-Chairman shall have all the powers and duties vested in or assigned to a mayor or deputy mayor respectively by this Ordinance or by any other Ordinance or law.

(b) A Chairman or Vice-Chairman respectively may receive from the municipal fund such salary as may from time to time be fixed by the High Commissioner.

62.—(1) If at any time it appears to the High Commissioner that a council is omitting to fulfil any duty, or to carry out any work imposed upon it by this Ordinance or any other Ordinance or law, he may make an order requiring the council within the time to be specified therein to fulfil such duty or to carry out such work.

(2) If the council fails within such time to comply with such order the Commissioner may appoint the mayor or some fit person to fulfil such duty or carry out such work and may fix the remuneration to be paid to such other person and may direct that such remuneration and the cost of such work shall be defrayed out of the municipal fund.

(3) In case of emergency when it is not possible to call a meeting of a council the Commissioner may call upon the mayor to fulfil any duty or to carry out any work imposed upon the council by this Ordinance or any other Ordinance or law which in the opinion of the Commissioner is necessary for the safety or health of the municipal area or the inhabitants thereof.

URBAN COMMITTEES.

63.—(1) Where the High Commissioner-in-Council is satisfied that the inhabitants within any district included within a municipal area so desire he may declare such district to be an urban district.

(2) Where any district is declared to be an urban district under the provisions of this Ordinance there shall be for such district a committee which shall be known as the Urban Committee for.....District.

(3) Where it appears to any urban committee that it is desirable that additional expenditure should be incurred in respect of public works or conveniences or amenities of its district the committee shall forward particulars of such works, conveniences or amenities, together with an estimate of the cost thereof to the council of the

Power of Commissioner in certain cases.

Power of High Commissioner to declare urban districts.

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municipal area in which the district is situated and to the Commissioner, and the Commissioner after considering any recommendation of the municipal council thereon may approve such expenditure.

(4) When such expenditure has been so approved the cost thereof may be collected from the inhabitants of the urban district by means of the addition of a percentage to the general rate payable by the inhabitants of such district. Such addition shall be assessed and collected by the municipal council within the area of which the district is situated and all the provisions of this Ordinance for the collection of rates shall apply to such percentage. The amount so collected shall be paid to the urban committee and expended by such committee upon the approved works or conveniences or amenities.

(5) Where any district is declared to be an urban district the High Commissioner shall by regulations provide,

- (a) for the method of election of the committee, and
- (b) for the qualifications of electors, and
- (c) for the qualifications of the members of the committee, and
- (d) for the meetings of and conduct of business by the committee, and
- (e) for the supervision of
 - (i) any work undertaken by the committee and
 - (ii) the expenditure of all moneys by the committee.

MUNICIPAL PROPERTY AND MUNICIPAL FUND

64.—(1) All property of any kind whatsoever and all interest therein which was lawfully vested in the municipalities or townships existing immediately before the commencement of this Ordinance shall at the commencement of this Ordinance be vested in and held by the municipal corporations created under this Ordinance which respectively replace the municipalities and townships existing prior to the commencement of this Ordinance.

(2) All debts and liabilities and obligations and all interest therein due to the municipalities and townships existing immediately before the commencement of this Ordinance shall be deemed to be transferred to the municipal corporations which respectively replace the municipalities and townships existing prior to the commencement of this Ordinance.

Rights and liabilities of existing municipal corporations.

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Registration
and sale of
immovable
property.

(3) All debts and liabilities and obligations of the municipalities and townships existing immediately before the commencement of this Ordinance shall be deemed to be transferred to the municipal corporations which respectively replace the municipalities and townships existing prior to the commencement of this Ordinance.

65.—(1) All immovable property owned by or vested in any municipality or in any township to which this Ordinance applies immediately before the commencement of this Ordinance and all immovable property which shall thereafter become vested in any municipal corporation shall be registered in the Land Registry in the name of the municipal corporation.

(2) It shall not be lawful for a municipal corporation to sell, mortgage, lease or otherwise deal with any immovable property registered in its name under the provisions of this Ordinance save upon a resolution passed by not less than two-thirds of the members of the council and with the approval of the Commissioner.

(3) Where any immovable property was registered immediately before the commencement of this Ordinance in the name of any municipality or township and such property is re-registered within three months of the commencement of this Ordinance in the name of a municipal corporation by reason of the provisions of this section, no fee shall be paid upon such re-registration.

Municipal fund.

66.—(1) All moneys received by or on behalf of a municipal council by virtue of the provisions of this Ordinance or any other Ordinance or law or otherwise shall constitute a fund which shall be called the municipal fund.

(2) The municipal fund shall be applied to and charged with all expenses lawfully incurred by the council under the provisions of this Ordinance or any other Ordinance or law, and any other sums legally due and owing by the council :

Provided that no payment shall be made out of the municipal fund unless it has been authorised by the current estimates or has been specially authorised by the council with the approval of the Commissioner.

Security of
municipal fund.

67.—(1) The treasurer of the municipal corporation, or if there is no treasurer some officer specially appointed by the council, shall be responsible for the security of the municipal fund.

(2) All moneys belonging to or received for and on account of the municipal fund shall forthwith be paid into the account of the municipal corporation at such bank as the council shall, with the approval of the Commissioner, appoint :

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Provided that the council may from time to time authorise the treasurer to retain in his hands a sum sufficient for the daily expenses of the council :

Provided also that where there is no bank within the municipal area all such moneys shall be securely kept in accordance with rules to be made on that behalf by the council with the approval of the Commissioner.

(3) All orders, payment vouchers or cheques against the municipal fund shall be signed by the mayor or such other official as may be authorised by the council for the purpose and countersigned by the treasurer or such other official as may be appointed by the council for the purpose, and the bank may pay all such orders, payment vouchers or cheques against such fund which are so signed and countersigned.

(4) Any moneys comprised in the municipal fund may be from time to time invested in such manner as the council may decide with the approval of the High Commissioner.

ACCOUNTS AND AUDIT.

68.—(1) Every council shall cause a true account to be kept by the treasurer of all moneys received and paid by or on behalf of the municipal corporation.

(2) Within eight days of the thirty-first day of March and the thirtieth day of September of every year the accounts of every municipal corporation up to and including such dates respectively shall be closed and shall be certified by the mayor and by the treasurer.

(3) The mayor shall cause to be prepared, and shall during the first week in each quarter submit to the Commissioner, a statement showing the amount of revenue and expenditure during the preceding quarter under each head of the estimates and the balance remaining unspent under each such head.

Provided that if the High Commissioner has issued a notice under the proviso to sub-section (1) of section 69 of this Ordinance such statement shall not be submitted to the Municipal Auditor until after such date as the High Commissioner may have specified in such notice in respect of the municipal corporation concerned.

69.—(1) The accounts of all municipal corporations shall be produced by the treasurer for audit by an auditor to be appointed by the High Commissioner (in this Ordinance referred to as the Municipal Auditor) at such time as the Municipal Auditor may from time to time require and such accounts shall thereupon be audited by the Municipal Auditor :

Councils to
keep accounts.

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Accounts to
be audited.

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Provided that the High Commissioner may, by notice in the Gazette, prescribe that the accounts of all municipal corporations or of any particular municipal corporation shall not be produced by the treasurer for audit by the Municipal Auditor until after such date as the High Commissioner may specify in such notice.

(2) The accounts for each half year ending the thirty-first day of March or the thirtieth day of September shall be certified by the Municipal Auditor, and shall be forwarded together with the Municipal Auditor's report thereon to the Commissioner not later than the thirtieth day of April and the thirty-first day of October in every year, and a summary of such accounts shall be published in the Gazette.

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Provided that the High Commissioner-in-Council may by Order provide that the provisions of this sub-section shall not apply either generally, or to any particular municipal corporation, and may by such Order in respect of any municipal corporation to which such Order applies, prescribe for all, or any, of the following matters, that is to say :—

- (a) The certificate of accounts by the Municipal Auditor.
- (b) The forwarding of accounts together with the Municipal Auditor's report thereon to the Commissioner.
- (c) Publication in the Gazette of a summary of accounts.

Power of
Municipal Au-
ditor to call
for books.

70.—(1) For the purposes of any audit under this Ordinance, the Municipal Auditor may, by summons in writing, require the production before him of all books, deeds, contracts, accounts, vouchers, receipts and other documents and papers which he may deem necessary, and may require any person holding or accountable for for any such books, deeds, contracts, accounts, vouchers, receipts, documents or papers to appear before him at any such audit or any adjournment thereof, and to make and sign a declaration as to the correctness of the same.

(2) Any person who,

(a) neglects or refuses to appear before the Municipal Auditor or to produce any such books, deeds, contracts, accounts, vouchers, receipts or other documents or papers, or to make or sign such declaration, or

(b) falsely or corruptly makes or signs any such declaration knowing the same to be untrue in any material particular, shall be guilty of an offence and shall on conviction be liable to a fine not exceeding five pounds.

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71.—(1) The Commissioner upon the advice of the Municipal Auditor acting in pursuance of section 69 of this Ordinance shall disallow every item of account contrary to law, and surcharge the same on the person making or authorising the making of the illegal payment, and the Commissioner shall charge against any person accounting the amount of any deficiency or loss incurred by the negligence or misconduct of that person or of any sum which ought to have been but is not brought into account by that person, and he shall in every such case certify the amount due from such person. On the application by any party aggrieved thereby the Commissioner shall state in writing the reasons for his decision in respect of such disallowance or surcharge, and also of any allowance which he may have made :

Provided that on the application of the person surcharged, and notwithstanding that the disallowance and surcharge are correct and legal, the High Commissioner-in-Council may, in his discretion, if he should consider that in all the circumstances he is warranted in so doing, cancel or reduce such disallowance and surcharge :

Provided also that any such application shall be made within fourteen days of the person surcharged being notified of the surcharge, or within such further period, if any, as the High Commissioner-in-Council may allow.

(2) If it does not appear from the resolutions of the Council which particular members of the council concurred in any particular expenditure, every member present at the meeting at which such expenditure was authorised shall be deemed to have so concurred until he proves the contrary.

72. Where any surcharge is not cancelled by the High Commissioner-in-Council on any application under the preceding section, and the amount surcharged, or such amount as reduced by the High Commissioner-in-Council on such an application as aforesaid, is not made good to the municipal corporation to the satisfaction of the Municipal Auditor within one month after such surcharge is reported to the council or, in the event of such an application as aforesaid, within one month of the applicant being notified of the decision of the High Commissioner-in-Council, the council shall sue for the same, and shall, if it appears to the court that such expenditure of the amount surcharged, or of such amount so reduced as aforesaid, was not authorised or was in contravention of any provision of this Ordinance, be entitled to judgment for the amount surcharged or of such amount so reduced as aforesaid against any person or persons who appears or appear to have con-

Surcharge of
illegal payments.

Duty of council to sue for
recovery of
payments sur-
charged.

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Preparation of estimates.

77. The estimates of a municipal corporation shall be prepared by the mayor and when they have been passed by the council shall be submitted to the Commissioner. The High Commissioner

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may, after having taken into consideration the views of the council, modify or reject any item in the estimates or, if in his opinion exceptional circumstances connected with the municipal corporation make it essential in the public interest so to do, insert any item therein.

78.—(1) The estimates shall be prepared in accordance with the provisions of the tenth schedule to this Ordinance :

Provided that the High Commissioner may vary or add to such provisions either generally or in respect of the preparation of the estimates of any particular municipal corporation.

(2) A summary of the approved estimates shall be published in the *Gazette*.

79. Supplemental estimates may in case of necessity be prepared, and the provisions of section 77 of this Ordinance shall apply to such estimates.

80. A council may, in case of necessity, in any year with the approval of the Commissioner transfer moneys assigned by the estimates to one head of expenditure to another such head :

Provided that,

(a) the expenditure authorised by any such transfer is not inconsistent with this Ordinance or any other Ordinance or law, and

(b) the total expenditure sanctioned by the estimates and supplemental estimates, if any, approved by the Commissioner, is not exceeded.

LOANS.

81. Subject to the provisions of section 82 of this Ordinance a municipal council may under the authority of an Order of the High Commissioner-in-Council but not otherwise, and subject to the terms and conditions that may be imposed by such Order, borrow money from any person for any purpose approved by the High Commissioner-in-Council, and to secure the payment of the principal and interest of any such loan may mortgage any rates or other income of the municipal corporation to the lender.

82. A municipal corporation may, upon a resolution by the council with the approval of the Commissioner, but not otherwise, borrow temporarily from the bank at which the account of the municipal corporation is kept, any sum or sums :

Form of
estimates, etc.

Supplemental
estimates.

Transfers.

Power to raise
loan.

Power to borrow
temporarily.

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Provided that the amount so borrowed shall at no time exceed five per centum of the estimated revenue of the municipal corporation for the period for which the current estimates are made; and

Provided also that all amounts so borrowed shall be repaid from the revenue of and during such period.

ANNUAL REPORT AND STATISTICS.

Annual report.

83.—(1) The mayor shall as soon as possible after the first day of April in each year prepare a detailed report of the administration of the municipal corporation for the previous twelve months.

(2) Such report shall be submitted to the council and together with any amendments made therein by the council or any resolutions thereon shall be forwarded to the Commissioner.

(3) Copies of such report shall be kept for inspection by the public at the municipal office and the mayor may cause such report to be published in any newspaper or otherwise.

Commissioner may call for statistics, etc.

84. The Commissioner may at any time call for such statistics or other information connected with the working, revenue or expenditure of any municipal corporation as he deems fit, and the mayor shall within a reasonable time comply with such request.

OFFICIALS AND SERVANTS OF COUNCILS.

Appointment of officials

85.—(1) A municipal council may, and when required by the Commissioner so to do shall, with the approval of the Commissioner, appoint fit persons to all or any of the following offices, that is to say :—

- (a) town clerk,
- (b) treasurer,
- (c) municipal engineer,
- (d) sanitary surveyor,
- (e) medical officer of health,
- (f) veterinary officer.

Provided that one such person may be appointed to more than one such office.

(2) The persons so appointed shall receive such salary as shall be fixed by the council with the approval of the Commissioner.

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(3) Notwithstanding the provisions of subsection (1) and (2) hereof the High Commissioner may appoint any person to be town clerk of any municipal corporation to which the High Commissioner may from time to time by order direct that the provisions of this subsection shall apply. The person so appointed shall receive from the municipal fund such salary as shall be fixed by the High Commissioner.

No. 26 of 1938.

86. Officials of a municipal council, other than the officials mentioned in section 85, may be appointed by the council to posts for which provision is made in the current estimates approved in accordance with the provisions of this Ordinance.

Appointment of subordinate officials, No. 6 of 1945.

87. No official appointed in accordance with the provisions of section 85 or 86 shall be dismissed unless —

Dismissal of officials, No. 6 of 1945.

(a) the council has resolved to dismiss him after due notice has been given to all members of the council that his dismissal will be considered at the meeting of the council at which it has so resolved, or

(b) he has been convicted of a criminal offence, and the Commissioner has approved of his dismissal.

88. The council shall require every official appointed by them to an office involving financial responsibility to give such security as the council think proper for the due execution of his office, and the mayor shall satisfy himself from time to time as to the existence and sufficiency of such security.

Security to be given by officials.

89. The mayor may employ at the current rate of daily wages for the persons so employed any servants or labourers required in the service of the municipal corporation to carry out any work for which provision is made in the current estimates approved in accordance with the provisions of this Ordinance.

Employment of servants or labourers.

90.—(1) The council may, with the approval of the High Commissioner, make regulations providing, subject to the provisions of this Ordinance,

Power to make regulations respecting pensions, etc.

(a) for the conditions of service of its officials,

(b) for enquiry into the conduct of its officials,

(c) for the grant of leave of absence to its officials,

(d) for the grant of pensions or gratuities to its officials or servants, or to the dependants or legal personal representatives of its officials or servants.

No. 22 of 1938.

(1A) It shall not be necessary to publish in the *Gazette* any regulations made under subsection (1), but a notice that such regulations have been made shall be published in the *Gazette* and

No. 59 of 1946.

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Officials or
servants not to
be interested in
contracts.

91. No official or servant of any council or municipal corporation shall be concerned or interested directly or indirectly by himself, his wife or his partner or his agent in any contract or work made with or executed for such council or municipal corporation. If any such official or servant be so concerned he shall be incapable of holding any office or employment under such council or municipal corporation, and shall, on conviction, be liable to a fine not exceeding ten pounds :

Provided that no person shall be so incapacitated or so liable to any fine by reason only that he is a shareholder, not being a director, manager, officer or agent, of any company which is a party to any contract with, or executes any work for, such council or municipal corporation.

CONTRACTS AND TENDERS.

Power to
mayor to make
certain con-
tracts

92.—(1) The mayor may enter into any contract which the council is authorised under the provisions of this Ordinance or any other Ordinance or law to make, provided that,

(a) the expenditure involved does not exceed an amount to be prescribed by the Commissioner for each municipal corporation, and

(b) the contract can be completed within the financial year in which it is made.

(2) The particulars of such contracts shall be recorded in a book kept for that purpose.

Council to call for tenders.

93.—(1) Where any council proposes to enter into any contract for the execution of any work or service, or for the supply of any materials, or for any other purpose necessary for the performance of the duties of the council, and the expenditure involved exceeds the amount prescribed for the municipal corporation under the preceding section, the council shall call for tenders in accordance

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a copy or copies of the regulations shall, during the hours during which the council offices are open to the public, be available at the offices of the council, for perusal free of charge on demand by any official or servant of the council or any ratepayer.

(2) Any pension or gratuity granted in accordance with the provisions of sub-section (1) hereof shall be payable from the municipal fund, and no such pension or gratuity, or any part thereof, shall be assignable or liable to be attached in respect of any debt or claim other than a debt due to or claim by the municipal corporation granting such pension or gratuity.

Officials or servants not to be interested in contracts.

91. No official or servant of any council or municipal corporation shall be concerned or interested directly or indirectly by himself, his wife or his partner or his agent in any contract or work made with or executed for such council or municipal corporation. If any such official or servant be so concerned he shall be incapable of holding any office or employment under such council or municipal corporation, and shall, on conviction, be liable to a fine not exceeding ten pounds :

Provided that no person shall be so incapacitated or so liable to any fine by reason only that he is a shareholder, not being a director, manager, officer or agent, of any company which is a party to any contract with, or executes any work for, such council or municipal corporation.

CONTRACTS AND TENDERS.

Power to mayor to make certain contracts.

92.—(1) The mayor may enter into any contract which the council is authorised under the provisions of this Ordinance or any other Ordinance or law to make, provided that,

(a) the expenditure involved does not exceed an amount to be prescribed by the Commissioner for each municipal corporation, and

(b) the contract can be completed within the financial year in which it is made.

(2) The particulars of such contracts shall be recorded in a book kept for that purpose.

Council to call for tenders.

93.—(1) Where any council proposes to enter into any contract for the execution of any work or service, or for the supply of any materials, or for any other purpose necessary for the performance of the duties of the council, and the expenditure involved exceeds the amount prescribed for the municipal corporation under the preceding section, the council shall call for tenders in accordance

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with the regulations in the eleventh schedule to this Ordinance, and after considering the recommendations of the committee appointed to consider tenders shall by resolution authorise the making of such contract.

(2) Where any contract authorised under subsection (1) involves an expenditure exceeding an amount to be prescribed by the Commissioner for each municipal corporation but not exceeding five thousand pounds, it shall be submitted to the Commissioner for his approval, and where any such contract involves an expenditure exceeding five thousand pounds it shall be submitted to the High Commissioner for his approval.

(3) Any contract authorised under the provisions of subsection (1) and, where necessary, approved under the provisions of subsection (2) shall be entered into by the mayor on behalf of the council and the seal of the municipal corporation shall be affixed thereto.

94. Notwithstanding anything contained in the preceding sections,

(a) no contract which can not or is not to be completed within the current financial year shall be entered into, by or on behalf of any council, or

(b) no concession or monopoly shall be granted to any person by any council, without the consent in writing of the Commissioner.

CORPORATE SEAL.

95.—(1) Every municipal corporation shall have a corporate seal.

(2) The corporate seal shall be in the custody of the town clerk if a town clerk has been appointed under sub-section (1) of section 85 of this Ordinance or in that of the mayor if no such appointment has been made and shall not be affixed to any document save in the presence of

(a) the mayor, and

(b) some other councillor, and

(c) the town clerk or some other official authorised by the council,

who shall respectively sign their names to such document in token of their presence.

No. 6 of 1945.

Contracts which cannot be completed within a year, and concessions.

Corporate seal.

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DUTIES AND POWERS OF COUNCILS.

Duties of a council.

96. Unless the High Commissioner shall otherwise order in respect of all or any of the following matters and subject to the provisions of this Ordinance or any other Ordinance or law, the municipal council shall, within the municipal area,

Streets.

(1) As regards streets :

(a) Control the alignment, level, width and construction of any street;

(b) Make provision for the repairing, cleaning, watering and lighting and drainage of any public street;

(c) Prevent and abate obstructions and encroachments on any street;

(d) Name or rename where necessary all roads, streets, lanes and squares, such names to be affixed in conspicuous places therein and cause all buildings in such roads, streets, lanes and squares to be numbered.

(e) Take proper precautions against accidents during the construction or repair of any streets, sewers or drains.

Buildings.

(2) As regards buildings :

(a) Control the erection, demolition, alteration and repair of buildings;

(b) Control the paving of yards and open spaces in connection with buildings;

(c) Control the provision of cisterns and the construction thereof for securing the prevention of the breeding of mosquitoes;

(d) Control the line of frontage with neighbouring buildings, the side and rear set backs, the size of building plots, and the proportion of the area of plots upon which buildings may be erected;

(e) Control the front elevation of buildings where the building is one of a row of contiguous buildings abutting on a street;

(f) Control, by prohibition or otherwise, the erection of buildings of a particular class, design or appearance in particular districts or streets or portions thereof.

(g) Prescribe the precautions to be taken against accidents during the erection, demolition, alteration and repair of buildings.

(h) Control and regulate the construction and operation, and provide for the inspection, of lifts, lift shafts, elevators and escalators in any building, to such extent as the council may consider necessary to ensure against accidents in connection

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therewith, and provide for insurance covering risk of death or injury to any person from any lift, lift shaft, elevator or escalator;

For the purpose of this sub-section :--

"Building" means any construction whether of stone, concrete, mud, iron, wood or other material and includes any foundation, wall, roof, chimney, verandah, balcony, cornice or projection or part of a building, or anything affixed thereto, or any wall, earthbank, fence, paling or other construction enclosing or delimiting or intended to enclose or delimit any land or space.

(3) As regards drainage, control the laying out, construction, alteration or use of sewers, drains, water closets, urinals, privies, cesspits, sinks, baths and sanitary appliances, the flushing of water closets and the paving of floors and courtyards and open spaces.

Drainage.

(4) As regards water-works established by the municipal council or any other public body or any private person for the supply of water within the municipal area :

Water-works.
No. 6 of 1945.

(a) Prevent waste, misuse, undue consumption or contamination of the water supplied for public or private use;

No. 59 of 1946.

(b) Direct the use and prescribe the size, nature, strength and materials and the mode of arrangement, position, alteration, removal, renewal and repair of the pipes, valves, cocks, cisterns, soil pans, water closets and other apparatus and receptacles or any of them to be used respectively for carrying, delivering, regulating and storing water;

(c) Regulate the public supply of water by stand-pipes and the use of the same;

(d) Regulate the supply of water by measurement and the materials, meters, appliances and fittings used for such a purpose or in connection therewith;

(e) Regulate the terms and conditions subject to which water will be supplied for domestic or other purposes and the price to be paid for any water so supplied and the charges in respect of the installation thereof.

(5) As regards markets and the preparation, storage for sale and sale of food and drink for human consumption :

Markets, public
auctions and sale
of foodstuffs.

(a) Regulate public markets for the sale of any commodity and places of public auction for the auction of any movable or

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immovable property and prescribe the fees, rents and tolls to be paid for the use of such markets or places of public auction and establish any such markets or places;

(b) Provide for the inspection, seizure, forfeiture, removal and destruction of unwholesome liquids for human consumption and flesh, fish, fruit, vegetables or other perishable articles of food, the prevention of the sale or exposure for sale thereof, and the taking of samples thereof for analysis.

Slaughter
houses, etc.

(6) As regards the slaughter of animals for human consumption, establish and regulate slaughter-houses, and without prejudice to the generality of such power ensure :—

(a) the inspection for sanitary purposes of animals before being slaughtered and of their carcases;

(b) the detention for observation of animals brought for slaughter and the disposal of those animals found to be diseased;

(c) the disposal of the carcases of diseased animals which are slaughtered or die;

(d) the marking of the carcases of animals slaughtered in municipal slaughter-houses to denote that such animals have been so slaughtered.

Dangerous
trades.

(7) As regards dangerous trades, classify and regulate any trade or business which may be injurious to public health or a source of public danger or which otherwise it is in the public interest expedient to regulate.

Sanitation,
public health
and convenience

(8) As regards sanitation, public health and convenience :

(a) Take steps to abate or prevent any nuisance, and from time to time cause inspections to be made with a view to ascertaining what nuisances exist;

(b) Provide for the removal of all night soil and refuse from every house and regulate the fees to be taken for such removal;

(c) Provide for the inspection, regulation, maintenance, cleansing and emptying of all sewers, drains, privies, water closets, earth closets, cesspools, culverts, gutters, watercourses, ashpits and sanitary appliances;

(d) Provide and maintain in good order and repair public dustbins and other receptacles for the temporary deposit and collection of rubbish and cause such public dustbins and other receptacles to be kept so as not to be a nuisance or injurious to health;

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(e) Provide and maintain in good order public latrines, urinals and cesspits and cause the same to be so constructed and kept so as not to be a nuisance or injurious to health;

(f) Provide for the proper scavenging and cleaning of public streets;

(g) Prevent the accumulation in any public or private place of any filth or refuse so as to be dangerous to the public health and take measures for the abatement of any public nuisance arising from any public or private cesspool or drain, or otherwise;

(h) Prevent the pollution of streams, channels, watercourses or wells and the deposit on the banks of any stream, channel or watercourse or at the mouth of any well of refuse likely to cause pollution;

(i) Prevent pipes intended to carry off rain water from being used for the purpose of carrying off soil or drainage from any privy or water closet, and prohibit the making of unauthorised drains into public sewers;

(j) Provide for the inspection of houses and buildings in order to ascertain their state of cleanliness or otherwise, and provide measured for the destruction of rats, mice or other vermin.

(9) As regards theatres, regulate and inspect theatres and other places of public entertainment and provide for the protection of the public from danger by fire therein.

(10) Regulate hotels, boarding houses, pensions, hostels, hospices, lodging houses and other similar establishments.

(11) As to control of dogs, provide for the registration and keeping of dogs and the destruction of ownerless dogs, or dogs kept, or allowed to go abroad in public thoroughfares, otherwise than under and in accordance with the conditions prescribed.

(12) As to animals, regulate or prevent the keeping of swine, regulate the keeping of animals and birds so that their keeping shall not be a public nuisance or injurious to health, and regulate or prevent the pasturing, grazing or passage of animals.

(13) Provide for the licensing, registration and control of hawkers, pedlars, streetsellers, boot-blacks, seal-engravers, photographers and porters

(14) As to advertisements, control or prohibit the exhibition of advertisements, signs and plates on places of business or hoardings or otherwise.

Theatres.

Hotels, etc.
No. 6 of 1945.

Dogs.

Animals.

Porters, etc.

Advertisements.

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Fires.	(15) As regards fires :— (a) Provide and maintain appliances for extinguishing fires, and (b) Provide and maintain water-buckets, pipes, fire-escapes, and other implements for safety or use in case of fire, (c) Regulate the use of water in case of fire.
General.	(16) Do any other act which a municipal council is required by this Ordinance or any other Ordinance or law to do.
Council to comply with directions and requirements of Commissioner.	97. Every municipal council shall with regard to any of the matters enumerated in the preceding section and such powers as may be exercised by them under section 98 of this Ordinance comply with the requirements and directions of the Commissioner : Provided that in such requirements and directions the Commissioner shall have regard to the approved by-laws and the current estimates.
Powers of council, No. 59 of 1946.	98. Unless the High Commissioner shall otherwise order in respect of all or any of the following matters and subject to the provisions of this Ordinance or of any other Ordinance or law, it shall be within the power of the municipal council within the municipal area or within any town planning area which includes the municipal area —
Public baths.	(1) to establish, maintain and regulate public baths, swimming pools and wash-houses;
Bathing.	(2) to control bathing on the sea-shore;
Poor-houses	(3) to establish adequate poor-houses for the reception therein of disabled or crippled poor persons and work places for giving work therein to such poor persons as may be able to work, and to prevent begging;
Public parks.	(4) to provide, establish, lay out, plan, improve, maintain, regulate and control, parks, gardens, and other places of resort or recreation for the use of the public, and to contribute to the cost of the maintenance of parks and gardens and other places of resort or recreation provided by any person for the use of the public;
Buildings and works.	(5) to build and maintain public buildings and do other public works and build and maintain shops and houses;
Housing accommodation for persons of small means.	(6) to provide housing accommodation for persons of small means and for that purpose —

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- (15) to order the demolition of any buildings which stop or impede ventilation or which are insanitary or otherwise injurious to public health or are dangerous;

Demolition of
buildings.

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(16) to require the owners of lands or premises to construct sewers, drains, privies, cesspools, latrines or urinals, and to require the owners or occupiers of lands or premises, without prejudice to any legal remedy which any occupier may have against any owner, to maintain and keep clean sewers, drains, privies, cesspools, latrines or urinals when constructed:

(17) to regulate and control the introduction within the municipal area of frozen meat and the sale thereof;

(18) to enter any house or building reasonably suspected to be insanitary, for the purpose of ascertaining its state of cleanliness or otherwise, and to issue an order to the occupier thereof requiring him to take such measures as may be specified in such order;

(19) to plant trees in any street or public place and to erect tree-guards, provided that such street or place is not unduly obstructed thereby;

(20) to act with the consent of the High Commissioner as trustees of any trust created for public purposes;

(21) to make a charge on tickets sold in respect of public entertainments :

Provided that —

(i) no such charge shall be made except under by-laws made in accordance with the provisions of this Ordinance;

(ii) this paragraph shall have effect subject to such exemptions as may be provided for by order of the High Commissioner in Council;

(22) to make a charge for social welfare on sums paid by guests in respect of accommodation, or boarding at any hotel, boarding-house, pension, hostel, hospice, lodging-house or other similar establishment, and on sums paid by customers in respect of food or drink consumed in any restaurant, café, coffee-house, tea-room, bar, buffet, club, canteen or other similar establishment :

Provided that —

(i) no such charge shall be made except under by-laws made in accordance with the provisions of this Ordinance;

(ii) this paragraph shall have effect subject to such exemptions as may be provided for by order of the High Commissioner in Council;

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(23) to regulate and control the opening and closing, and, without prejudice to the generality of the foregoing power, to prescribe the opening and closing hours on any specific day, of shops, and workshops, and of restaurants, cafés, coffee-houses, tea-rooms, bars, buffets, canteens, and other similar establishments, and of cinemas, theatres and other places of public entertainment or of any particular class thereof:

Provided that this paragraph shall have effect subject to such exemptions as may be provided for by order of the High Commissioner in Council;

(24) to control or prohibit the collection of money in public places by the selling of flags or ribbons or by similar means;

(25) to provide for, and carry out, any scheme approved by the High Commissioner which is designed to benefit officials and servants of the council;

(26) to issue certificates touching any of the matters it is required or empowered to do under this Ordinance or any other Ordinance or law;

(27) generally to do such acts as may be necessary for the conservancy of the area, preservation of the public health therein and the safety thereof, and, with the permission of the Commissioner, to establish, maintain and contribute towards, public health and educational institutions.

* See subsection (2) of section 22 of the Municipal Corporations (Amendment) Ordinance, 1946 which reads as follows:—

“(2) Any by-laws made under the principal Ordinance and in force at the date of commencement of this Ordinance, † and any acts done under any such Ordinance or by-laws, shall be deemed to have been validly made or done if they would have been validly made or done had subsection (1) of this section been in force at the time they were made or done.”

† 20th November, 1946.

BY-LAWS.

99.—(1) A municipal council may make by-laws to enable or assist it to carry out any of the matters it is required or empowered to do under this Ordinance or any other Ordinance or law, or to require any owner or occupier of property to carry out on such property such work as may be necessary for that purpose, and may by such by-laws provide for the payment of any fees or charges or contribution by any person other than the municipal corporation in connection with such matters, and for the grant or issue of licences or permits in connection with such matters, and for the fees to be paid for any such licence or permit, and may by such by-laws provide for the payment of compensation to any person affected thereby.

Opening and closing of shops, etc.

Street collections, etc.

Schemes to benefit officials and servants of the council.

Certificates.

General power.

Power to make by-laws.

No. 59 of 1946.

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(2) Such by-laws may provide penalties for the contravention thereof not exceeding a fine of twenty pounds for any one offence and in the case of a continuing offence an additional fine not exceeding two pounds for every day during which the offence is continued after written notice from the mayor of such contravention or after conviction. Where no penalty is specially provided for the contravention of any by-law it shall be punishable with a fine not exceeding five pounds and in the case of a continuing offence with an additional fine not exceeding one pound for every day during which the offence is continued after notice or conviction as aforesaid.

No. 59 of 1946.

(3) Without prejudice to any such penalty as aforesaid or to any other remedy, where any person is directed by or under the provisions of any by-laws to execute any work within a specified time and such person does not within such time execute or complete the execution of such work to the satisfaction of the council or of a person authorised by the council in that behalf, the council may execute or complete such work itself or cause it to be executed or completed, and any expense incurred by the council in connection with the execution or completion of such work shall be recoverable by the council from the person liable under the by-laws to execute the work :

Provided that the council shall not proceed as aforesaid unless the person liable to execute such work has first been served with a notice, either under the by-laws under which he is liable to execute such work, or, where such by-laws do not provide for such notice to be given, then under this section, requiring him to execute such work within a time to be specified in such notice and warning him that, if he does not within such time execute or complete the execution of such work to the satisfaction of the council or of a person authorised by the council in that behalf, such work may, without prejudice to any penalty or other remedy, be executed by or on behalf of the council at his expense.

No. 59 of 1946.

(3A) Where, otherwise than in the circumstances provided in subsection (3), a council incurs any expense in consequence of the breach by any person of any by-law, such expense shall be recoverable by the council from the person committing such breach.

(4) No by-law shall have effect until the same has been confirmed by the High Commissioner. All by-laws when so confirmed shall be published in the *Gazette*.

(5) Such by-laws may contain such provisions as the municipal council may think necessary as to the giving of notices, as to the deposit of plans and sections by persons intending to lay out, construct, or alter any street, building, drain or other work, as to

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the inspection by the officials of the municipal council, and as to the powers of such officials (subject to the provisions of this Ordinance or any other Ordinance or law) to remove, alter, or pull down any work begun or done in contravention of such by-laws and as to the licences to be obtained and the terms and conditions respecting the grant, forfeiture and cancellation thereof and as to the fees payable for such licences and for services rendered :

Provided that no requirement of any by-laws relating to the construction or alteration of streets, buildings, drains, or other works, shall apply to any such works which were so constructed or altered, as the case may be, before such by-laws came into force, except where expressly stated therein to the contrary.

(6) The municipal council may make by-laws which shall be in force in any town-planning area which includes the municipal area, or in any specified place or premises outside the municipal area, provided that such place or premises or the administration or management thereof are vested in the municipal council.

(6A) The High Commissioner may make model by-laws for adoption by any municipal council as by-laws made by it under this section. Such model by-laws shall be published in the *Gazette* and any by-laws made by a municipal council under this section may adopt, with or without modifications, whether by way of addition, substitution, amendment or deletion or otherwise howsoever, all or any of the clauses of such model by-laws.

(7) Copies of the by-laws shall be kept at the municipal office and shall be available for sale to the public.

(8) Notwithstanding anything in any other Ordinance or law contained, in any prosecution before any court for the contravention of any by-law made under this Ordinance the municipal council may appear and prosecute by any official thereof authorised either generally or in respect of any special prosecution by resolution of such council.

100. The production of a copy of the Gazette containing any by-law shall be evidence of such by-law and of the due making and confirmation thereof.

R A T E S.

101. For the purposes of sections 101 to 122, unless the context otherwise requires—

“building” means any dwelling-house, flat or part of a building which forms a complete residence in itself, hotel, boarding house, warehouse, office, shop, factory or school, and any other structure or erection, and includes any land used or occupied together therewith as a garden, yard or otherwise;

No. 6 of 1945.

Copy to be evidence.

Interpretation.
No. 59 of 1946.

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"occupied land" means land which is used and occupied otherwise than together with any building;

"occupier" means any person occupying any land or building, either as owner or by virtue of any lease or agreement, whereby he is entitled as of right to occupy it, and includes any lessee who has sub-let the whole or any part of a building to any sub-tenant;

"owner" includes the reputed owner;

"rate" means any rate imposed under the provisions of this Ordinance;

"reputed owner" means the person who is in receipt of rents or profits of any building or land in such circumstances that he is the reputed owner thereof whether or not he is in possession or is the registered owner;

"sub-tenant" means the person who resides in a room or rooms or part of a room in any building, of which some other person is the occupier, other than a hotel or boarding house, and for which he pays rent to the occupier;

"unoccupied land" means land which is not used for any purpose other than land used or occupied together with any building as a garden, yard or otherwise;

Provided that where a new building is being constructed upon any land which immediately prior to the commencement of the construction of such building was unoccupied land, such land and the land which will be occupied together with such building as a garden, yard or otherwise, shall be deemed to be unoccupied land until such new building is completed and such new building shall be deemed to be completed when the building or any part thereof is occupied.

102.—(1) A municipal council may, with the approval of the Commissioner and subject to the provisions of this Ordinance, levy annually within the municipal area all or any of the following rates, that is to say :—

(a) A municipal property rate to be assessed upon the rateable value of buildings, occupied land and unoccupied land, to be levied upon the owners thereof :

Provided that—

(i) such rate may, with the like approval, be levied upon unoccupied land at a percentage of the rateable value thereof lower than the percentage at which it is levied upon the buildings or occupied land;

(ii) a municipal council may, with the like approval, provide that such percentage of such rate assessed upon any building

Power to
impose rates.
No. 59 of 1916.

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or occupied land as the municipal council may prescribe may be recovered by the owner from the occupiers thereof, and the owner shall thereupon be entitled to recover from each of the said occupiers, and each of the said occupiers shall be liable to pay to the said owner, the proportion of the said percentage which the rateable value of the part of the said building or occupied land occupied by him bears to the rateable value of the whole of the said building or occupied land:

(b) A general rate to be assessed upon the rateable value of buildings and occupied land to be levied upon the occupiers thereof;

(c) An education rate to be assessed upon the rateable value of buildings and occupied land to be levied upon the occupiers thereof:

Provided that where a rate has been imposed under the provisions of the Education Ordinance, no such rate shall be levied thereunder;

(d) A sewage rate to be assessed upon the rateable value of buildings and occupied land to be levied upon the occupiers thereof:

Provided that such rate shall be levied only in respect of buildings and occupied land which are within an area in which sewage removal is carried out by the municipal council.

(2) Particulars of all rates levied under the provisions of this section shall be published by posting the same at the office of the municipal council.

(3) It shall be lawful for a municipal council, with the approval of the Commissioner, which approval shall only be given if the Commissioner is satisfied that special circumstances render such course necessary, to increase in the course of any financial year any rate levied in respect of such year under the provisions of subsection (1), and in the event of such power being exercised, the municipal council may determine, in accordance with the provisions of this Ordinance, the mode and date or dates of payment of any such rate as so increased, and the provisions of subsections (1) and (2) shall apply to any such rate as so increased:

Provided that no such increase shall be leviable in respect of any property prior to the date of the posting, in accordance with the provisions of subsection (2), of particulars of such rate as so increased.

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Exemption.
No. 59 of 1946.

Power to remit
property rate
on land on
which building
prohibited or
restricted.
No. 59 of 1946.

Rateable value.
No. 59 of 1946.

103. Where the assessment on any occupied or unoccupied land or building would not produce an amount to be prescribed from time to time by the Commissioner, no rate shall be payable thereon.

103A. If any land has been reserved during the whole or greater part of the current year for use as a playing field or as an open space accessible to the public, or if building thereon has been prohibited or restricted under any Ordinance for the time being in force with regard to town planning or any scheme made thereunder, the council may, with the approval of the Commissioner, remit any municipal property rate on such land either wholly or in part as in their discretion they shall think fit.

104.—(1) The rateable value of any unoccupied land shall be six per centum of the capital value thereof.

(2) The rateable value of any occupied land shall be the rent for which it might be expected to let from year to year for the purpose for which it is used.

(3) The rateable value of any building shall be the rent for which such building might be expected to let from year to year after deducting therefrom the following amounts, that is to say—

(a) if the rent for which a building might be expected to let from year to year does not exceed forty pounds, one fourth part of such rent;

(b) if the rent for which a building might be expected to let from year to year exceeds forty pounds, one fifth part of such rent, or the sum of ten pounds, whichever is the greater :
Provided that—

(i) if the building is used for an industrial undertaking in which mechanically driven machinery is employed, one third part of such rent shall be deducted;

(ii) any municipal council may, by by-laws made in accordance with the provisions of this Ordinance, provide for the calculation of the rateable value of buildings within the municipal area otherwise than in accordance with the provisions of this subsection.

(4) If any room or rooms in a building is or are sub-let, the rateable value of such room or rooms shall be that proportion of the rateable value of the building which the number of rooms sub-let bears to the number of rooms in the building.

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105.—(1) There shall be for each municipal corporation an assessment committee consisting of three members, two of whom shall be nominated by the municipal council from among the members of the municipal council or from among persons not being members of the council and one of whom shall be nominated by the Commissioner :

Provided that if the Commissioner so approves there shall be two or more assessment committees for any municipal corporation who shall be nominated as aforesaid.

(2) The Commissioner shall nominate one of the members of the assessment committee to be chairman thereof.

(3) All acts, orders, matters and things directed to be made or done in this Ordinance by the assessment committee shall be lawfully made or done by a majority of the members of the committee :

Provided that the assessment committee shall be deemed to be duly constituted if at any sitting thereof the chairman and one other member are present, but in the event of a disagreement between the chairman and such other member on any matter it shall be reserved for decision at a sitting of the assessment committee at which all members thereof are present.

(4) The chairmen and the other members of assessment committees shall be paid out of the municipal fund remuneration at such rates as the municipal council, with the approval of the Commissioner, may determine.

106. The assessment committee shall before the fifteenth day of January in every year or, where the urban property tax assessment has been deemed to be the rateable value under the proviso to section 107, the thirty first day of March in every year, or such later date as may be determined by the Commissioner in any particular year, prepare a list which shall be called "the assessment list", which shall show in respect of all unoccupied land and occupied land and buildings within the municipal area the following particulars, that is to say :—

- (a) the number of the assessment ;
- (b) the address or other designation of the property ;
- (c) the name of the owner of the property ;
- (d) the name of the occupier, if any, of the property ;
- (e) a description of the property ;
- (f) the rent for which the property might be expected to let from year to year ;

Assessment
Committee,
No. 59 of 1946.

Assessment
list,
No. 59 of 1946.

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(g) if the property be unoccupied land, the capital value thereof;

(h) the rateable value of the property :

Provided that the assessment committee shall not include in the assessment list any new building the construction of which is not completed, and a new building shall not be deemed to be completed until the building or any part thereof is occupied.

107. The rateable value shall be assessed by the assessment committee in accordance with the provisions of this Ordinance :

Provided that if any occupied land or unoccupied land or building has been assessed under the provisions of the Urban Property Tax Ordinance or any Ordinance amending or substituted for that Ordinance, such assessment may be deemed to be the rateable value, and in such case, where the rate is leviable upon the owner, such assessment shall be final and the provisions of sections 110 and 111 shall not apply thereto.

108.—(1) In order to enable the assessment committee to assess the rateable value of any lands or buildings liable to assessment, the assessment committee may require the owner or occupier thereof to furnish returns of the rent thereof, to produce such documents and give such information as is necessary for the preparation of the assessment list or otherwise for the purpose of such assessment, and for the like purpose the assessment committee or any person appointed by them for the purpose, may at any time between sunrise and sunset enter and inspect such property and, if necessary, survey it.

(2) No entry shall be made under this section into any dwelling house in actual occupation without the consent of the occupier unless twenty-four hours previous notice in writing shall have been given where possible to such occupier, specifying as near as may be the hour of such intended entry.

(3) Any person who—

(a) refuses or fails to furnish such return or to produce such documents or to give such information as aforesaid, for the space of one week from the day on which he has been required to do so; or

(b) knowingly makes such return falsely or incorrectly or gives such information knowing it to be false or incorrect; or

Assessment of
rateable value,
No. 59 of 1946,

Cap. 147.

Certain powers
for the purpose
of assessment,
No. 59 of 1946.

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shall be guilty of an offence and shall on conviction be liable to a fine of fifty pounds or to imprisonment for six months, or to both such fine and imprisonment.

Publication of
assessment list,
No. 59 of 1946.

Rectification of
assessment list,
No. 59 of 1946.

(b) that he is not included as the owner or occupier of any land or building,

(d) that some other person has been wrongly excluded from the list,

(e) that the assessment of the rateable value of any land or building is incorrect or unfair,

may apply to the assessment committee in the form in the twelfth schedule to this Ordinance for rectification of the list.

(2) Any applicant for rectification of the assessment list, other than the municipal corporation, shall pay such fee and/or deposit such sum on account of costs in respect of his application as the municipal council may by by-laws prescribe.

(3) The assessment committee shall consider all applications made in accordance with subsection (1) and in respect of which any fee and/or deposit prescribed under subsection (2) has been paid, and may rectify the assessment list.

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(4) Where any such rectification of the assessment list will affect directly any person other than the person who has made application to the assessment committee, no such rectification shall be made until such person who will be directly affected has had an opportunity of being heard by the committee.

(5) Any rectification of the assessment list made in accordance with subsection (3) shall be published by posting a copy thereof at the places at which the assessment list was posted under the provisions of section 109 not later than—

(i) the fifteenth day of March; or

(ii) where the urban property tax assessment has been deemed to be the rateable value under the proviso to section 107, the fifteenth day of June; or

(iii) where a date has been determined by the Commissioner for the purposes of section 109, the date which is later than the fifteenth day of March or the fifteenth day of June, as the case may be, by the same number of days as the date determined by the Commissioner for the purposes of section 109 is later than the fifteenth day of January or the thirty-first day of March, as the case may be.

(6) Any land or building which ought to have been included in an assessment list but which has been omitted therefrom shall not, by reason of such omission, be relieved of its liability. Such land or building may be added to the list by an assessment committee at any time while the assessment list is in operation, and the owner or occupier thereof, as the case may be, shall thereupon become liable to payment of the rate for the year in which such addition is made. Notice in writing shall be given to the owner or occupier, as the case may be, of such land or building of the rate assessed thereon, and the rate so assessed shall become payable, subject to the provisions for objection and appeal in this Ordinance, on the expiration of thirty days from the date of the notice.

110A.—(1) The assessment committee may from time to time during the financial year add to the assessment list the particulars set out in section 106 in respect of—

(a) any building which was completed too late to be included in the assessment list as provided in that section (in this section called a "new building"); or

(b) any plot which was created, by the parcellation, partitioning or plotting out as building areas or sites, of any land, too late to be included as such, whether as unoccupied land or

Inclusion of
new buildings
and new plots.
No. 59 of 1946.

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occupied land, in the assessment list as provided in that section (in this section called a "new plot"),

and the assessment of such new building or new plot, whether as unoccupied land or occupied land, as the case may be, shall, as from the date of such addition be included in, and form part of, the assessment list, and such proportion of the rate leviable in respect thereof for the financial year during which such addition is made shall be payable for that financial year as the remainder of that financial year from the date of such addition bears to that financial year.

(2) Where any new building or new plot has been included in the assessment list under subsection (1) the assessment committee shall forthwith give to the owner thereof and to the occupier thereof, if any, notice of such inclusion.

(3) The owner or occupier of any new building or new plot which has been included in the assessment list under subsection (1) may, within fourteen days of receiving a notice under subsection (2), and any other person, including the municipal corporation, aggrieved by such inclusion may, within fourteen days of such inclusion, apply to the assessment committee in respect of such inclusion, under and in accordance with the provisions of section 110, and the provisions of that section shall apply to such application.

(4) The assessment committee shall forthwith give to any person applying under subsection (3) notice of their decision upon such application, and such person may, within fourteen days of receiving such notice, appeal to the Appeals Tribunal, under and in accordance with the provisions of section 111, and the provisions of that section shall apply to such appeal.

(5) Any notice under this section may be given in such manner as the assessment committee may deem fit, including publication in any newspaper circulating in the district where the new building or the new plot is situated, and every person to whom such notice applies shall be deemed to have received it on the date of its being so given, or, in the case of publication in any newspaper as aforesaid, on the date of such publication.

111.—(1) Any person (including the municipal corporation) who —

(a) has applied to the assessment committee for rectification of the assessment list; or

(b) has been affected by any such application, may not later than—

Appeals,
No. 59 of 1946.

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(ii) where the urban property tax assessment has been deemed to be the rateable value under the proviso to section 107, the thirtieth day of June; or,

next following the publication of the rectified assessment list, appeal to a tribunal, to be called the Appeals Tribunal, and to be constituted in accordance with the provisions of this section :

(2) Any person, other than the municipal corporation, who desires to appeal to the Appeals Tribunal shall pay such fee and/or deposit such sum on account of costs in respect of his appeal as the municipal council may by by-laws prescribe.

(4) The chairman and the other members of Appeals Tribunals shall be paid out of the municipal fund remuneration at such rates as the municipal council, with the approval of the Commissioner, may determine.

Provided that the Appeals Tribunal shall be deemed to be duly constituted if upon the hearing of an appeal at any sitting thereof the chairman and one other member are present, but in the event of disagreement between the chairman and the said other member the matter shall be reheard before the Appeals Tribunal consisting

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(6) The Appeals Tribunal shall hear any appellant whose appeal has been made in accordance with subsection (1) and in respect of which any fee and/or deposit prescribed under subsection (2) has been paid, and the respondent, or, at the discretion of the Appeals Tribunal, any other person on behalf of the appellant or respondent, and may hear such witnesses and call for such documents as they may consider necessary.

Provided that the Appeals Tribunal may, or, if ordered by a District Court so to do, shall, give its decision in the form of a case stated upon a point of law for the opinion of the District Court.

111A. Any person liable to pay any rate imposed under this Ordinance shall, notwithstanding that he has appealed to the Appeals Tribunal under section 111 and his appeal has not been determined on the date when the rate becomes due, pay the amount thereof on such date :

112. Any person who knowingly makes any false statement, or gives any false information—

(b) to any Appeals Tribunal constituted under the provisions of this Ordinance,

113. The mayor, with the approval of the Commissioner, may correct any clerical error in an assessment list.

114. Rates calculated upon the rateable value as appearing in the assessment list, as rectified by the assessment committee, and amended by such committee in accordance with any decision of the Appeals Tribunal, if any application therefor respectively has been made, shall be paid—

Penalties for
certain offences.
No. 59 of 1946.

Clerical errors.
No. 59 of 1946.

Payment of
rates.
No. 59 of 1946.

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(b) in respect of any rate other than a municipal property rate, subject to the provisions of section 102(c) and (d), upon buildings and occupied land, by the occupier thereof,

Provided that any municipal council may, by by-laws made in accordance with the provisions of this Ordinance, provide for the payment of rates by other instalments and upon other dates.

Penalty for
non-payment of
rates.
No. 59 of 1946.

(2) Where a resolution as set out in subsection (1) has been made by any municipal council, a notice that it has been made shall be published in the *Gazette*.

Proceedings
for recovery
of payment.
No. 59 of 1946

(2) If the person liable to pay such rate cannot be found or refuses to accept service, such notice shall be deemed to have been

duly served by the posting thereof in the municipal office and by fixing a copy thereof on some conspicuous part of the property for which the rate is payable.

The notice shall further be deemed to be sufficiently served if it is delivered, or transmitted through the post, to his last known address. Where property is owned in undivided shares, the notice shall be deemed to be served on the owner of the property if it is delivered or transmitted through the post to the last known address of any one of the co-owners.

(3) If at the expiration of fifteen days of the service of such notice as aforesaid such rate has not been paid it shall be in arrear and the mayor may issue a warrant under his hand and the corporate seal directed to a municipal rate collector commanding him to demand immediate payment of the sum due and, in default of payment, to levy it by the seizure and sale of the movable property of the person by whom it is payable in the manner hereinafter provided.

(4) (a) The municipal rate collector shall demand immediate payment of the sum named in the warrant from the person by whom it is payable and, upon his refusal or neglect to pay, shall enter his house, premises, or land and seize such of his goods as the municipal rate collector shall deem sufficient and, subject to the provisions of this section, keep the goods so seized for the space of fourteen days or, if an action is brought under paragraph (f) hereof, until the delivery of judgment or making of an order in such action, at the cost and charge of the person in default.

(b) If the person in default does not pay the sum due together with the costs and charges of seizure, within the fourteen days, and subject to any judgment or order of the court in an action under paragraph (f) hereof, the goods shall be sold by auction in accordance with an order issued by the mayor :

Provided that, if the goods seized are perishable goods, they may be sold by auction forthwith by order of the mayor.

(c) The proceeds of the sale shall be used for the payment of the sum due and the costs and expenses of execution, and the surplus, if any, shall be restored to the owner.

(d) The mayor may issue a further warrant authorising and requiring the municipal rate collector, if he is unable to obtain admittance to any house or premises of the person in default for the purpose of executing the warrant, to break open in the day-time the said house or premises in the presence of the mukhtar or two notables of the quarter in which the house is, or premises are, situate, or of a police officer, and enter the house or premises

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and execute the original warrant in the manner provided in this section.

No. 14 of 1938.

(e) It shall not be lawful to seize or sell by virtue of any warrant issued under this section any goods or articles which are exempt from seizure under the provisions of section 3 of the Civil Procedure Ordinance, 1938.

(f) Where any goods have been seized under the provisions of this section, any person aggrieved by the seizure may bring action against the municipal corporation, claiming the return of the goods or their value, with or without damages, for

- (i) their detention, or
- (ii) any damage thereto, or
- (iii) any illegal, wrongful, or excessive distress, or
- (iv) any trespass or injury to any other movable property or to immovable property;

or may bring action for any damages caused as aforesaid, and the municipal corporation shall be responsible, and judgment may be given against it, for anything done or purporting to have been done under this section :

Provided that —

(a) no such action shall be brought after the expiration of fourteen days from the seizure of the goods;

(b) where such action is brought by the person whose rate is alleged to be in arrear it shall not be entertained unless he has deposited in court the amount of the rate so alleged to be in arrear or has given security for the same to the satisfaction of the court or has been exempted in whole or in part from payment of the court fees on the ground of poverty in pursuance of any Ordinance or Rules of Court.

Laws of Pal.,
p. 2202.

Cap. 137.

(5)(a) The provisions of rules 4 and 6 of the Taxes (Collection) Rules shall apply to proceedings taken under subsections (3) and (4) of this section for the recovery of any rate, as though it were a tax recoverable under the Taxes (Collection) Ordinance.

(b) In the application of rules 4 and 6 of the Taxes (Collection) Rules as aforesaid, those rules shall be read subject to the modifications following, that is to say :—

- (i) the word "mayor" shall respectively be deemed to be substituted for the words "District Officer" and "District Commissioner" wherever they occur therein;

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(ii) the words "municipal rate collector" shall be deemed to be substituted for the words "tax collector" wherever they occur in the said rule 4;

(iii) the words "municipal fund" shall be deemed to be substituted for the words "Government Treasury" appearing in the said rule 4;

(iv) where any of the relative forms set out in the Schedule to the Taxes (Collection) Rules are used in proceedings for the recovery of rates as aforesaid, such forms shall be altered so far as may be necessary to render the same applicable.

(6) Where any rate is leviable under the provisions of this Ordinance upon the owner of any building or land and such building or land is owned in undivided shares, such rate may be collected from any one or more of the co-owners, and the person or persons from whom the rate is collected shall have a right of contribution from the other co-owner or co-owners in the proportion of their respective shares and may attach the revenue from such building or land until he has recovered the amount due from the other co-owners.

(7) Notwithstanding anything contained in subsections (3), (4) or (5) of this section, where a rate is in arrear the mayor may, instead of proceeding, or continuing proceedings, under the said subsections, institute proceedings for the recovery of such rate as a civil debt.

(8) In this section —

"goods" includes any kind of movable property;

"mukhtar" includes any person appointed by a District Commissioner to exercise the functions of a mukhtar;

"municipal rate collector" means any person appointed or deputed by the mayor, or, if there is no mayor, by the Commissioner, to exercise all or any of the functions of a municipal rate collector as herein prescribed.

(9) The production of books purporting to contain any rate or assessment made under this Ordinance shall, without any other evidence whatever, be received as prima facie evidence of the making and validity of the rate or assessment mentioned therein.

116. (1) Without prejudice to his rights under subsection (3) of section 115 to order the seizure and sale of the movable property of a person by whom a rate has not been paid, the mayor may, upon the refusal or neglect of such person to pay the sum named in a notice as provided in subsection (1) of section 115 after the expiration of fifteen days from the service of such notice,—

Attachment of
rents, debts,
salary or pay
due to defaulter.
No. 59 of 1946.

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(a) attach any rents or debts due to such person;

(b) if such person is an officer or employee of the Government or in receipt of a salary or pay from any person, attach such part of his salary or pay as, together with any other part thereof which may be subject to any prior attachment made either under this section or under section 7 of the Taxes (Collection) Ordinance, does not exceed one quarter of his total salary or pay.

(2) An order for attachment of rents or debts due to a defaulter shall be in form G in the Schedule to the Taxes (Collection) Rules, and an order for the attachment of salary or pay due to a defaulter shall in form H in the said Schedule, modified as follows:—

(a) by the substitution for the expressions "Taxes (Collection) Ordinance", "Section 7", "taxes", "tax demand note no. issued to", "District Office of the Sub-District" and "District Commissioner..... District", appearing in each of the said forms, of the expressions "Municipal Corporations Ordinance, 1934", "section 116", "rates", "notice served on", "municipal fund" and "mayor of", respectively;

(b) by the substitution for the word "salary" and for the expression "a quarter of his her salary" appearing in the said form H, of the words "salary or pay" and the expression "such part of his her salary or pay as, together with any other part thereof which may be subject to any prior attachment made either under section 116 of the Municipal Corporations Ordinance, 1934, or under section 7 of the Taxes (Collection) Ordinance, equals..... of his her total salary or pay", respectively.

(3) Any person aggrieved by any attachment made under this section of any moneys due to him may bring an action against the municipal corporation claiming the return or release of the moneys so attached, with or without damages, and the municipal corporation shall be responsible, and judgment may be given against it, for anything done or purporting to have been done under this section:

Provided that—

(a) no such action shall be brought after the expiration of fourteen days from the date of the attachment;

(b) where such action is brought by the person whose rate is alleged to be in arrear it shall not be entertained unless he has deposited in court the amount of the rate so alleged to be in arrear or has given security for the same to the satisfaction of

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the court or has been exempted in whole or in part from payment of the court fees on the ground of poverty in pursuance of any Ordinance or Rules of Court.

117.—(1) No disposition of any immovable property situated in a municipal area shall be entered in any Government register unless there is produced to the registrar or assistant registrar a certificate signed by the mayor to the effect that any municipal property rate payable on such property has been paid in full, or that no municipal property rate is payable on such property, as the case may be.

(2) Any certificate as aforesaid purporting to be signed by the mayor shall be accepted by the registrar or assistant registrar as being so signed, unless it shall appear to him to be not so signed.

(3) No disposition of any immovable property shall be questioned by reason only of any non-compliance with the provisions of subsection (1) or of any deficiency in any certificate as aforesaid.

118. A council may, with the approval of the Commissioner, reduce or remit the payment of any rate on account of the poverty of any person liable to pay such rate.

119.—(1) If at any time any person ceases to be the owner or occupier of any land or building in respect of which he is liable to pay any rate under the provisions of this Ordinance, such owner or occupier or his representative shall give notice in writing to the municipal council, and after the giving of such notice shall not be liable for any further instalment in respect of such rates :

Provided that nothing herein shall be deemed to affect the liability of any such owner or occupier for any instalment of rates which become due before the giving of such notice.

(2) If any person shall become the owner or occupier of any property in respect of which any rate is payable such person shall become liable for any instalment thereof due after he becomes the owner or occupier of such property :

Provided that

(a) upon the sale or transfer of any property the vendor or transferor or the representative of the vendor or transferor, or

(b) upon the letting of any property the landlord or his representative,

shall give notice of such sale, transfer or letting to the municipal council, informing the council of the name of the purchaser, transferee or tenant, and until such information shall have been given the vendor or transferor or landlord shall be liable respectively for any rates which any purchaser, transferee or tenant should have paid, but has failed to pay.

Disposition of immovable property subject to certificate that municipal property rate paid.
No. 59 of 1946.

Exemption on account of poverty.
Change of owner or occupier.

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120. If any building in respect of which any rate is payable under the provisions of this Ordinance,

(b) shall be damaged to such an extent that it becomes uninhabitable and is not inhabited,

the occupier of such building shall give notice in writing to the municipal council, and after the giving of such notice shall not be liable for any further instalment in respect of the rates :

Provided that nothing herein shall be deemed to affect the liability of any occupier for any instalment of rates which became due before the giving of such notice.

121.—(1) If any room or rooms in a building is or are let to a sub-tenant, the occupier of such building shall recover from such sub-tenant a proportion of any rate paid or payable by the occupier in respect of such building which shall bear the same proportion to the amount so paid by the occupier as the rateable value of the room or rooms let to such sub-tenant as provided in sub-section (4) of section 104 of this Ordinance bears to the rateable value of the building and the occupier shall give to such tenant a receipt in writing for such payment. Such receipt shall state the date of payment, the amount paid, the premises in respect of which such amount was paid and the period for which such payment was made.

(2) Any such proportion of rates may be recovered by the occupier from the sub-tenant in the same manner as the rent payable by such sub-tenant may be recovered.

(3) Any payment by a sub-tenant under the provisions of this section shall be deemed to be a payment of rates for all the purposes of this Ordinance as though such payment had been made to the municipal council.

**False answers
in forms.**

122. Any person knowingly making any false statement in any form required to be filled up under the provisions of this Ordinance shall be guilty of an offence and shall on conviction be liable, unless any other punishment is provided in this Ordinance, to a fine not exceeding twenty pounds, or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment.

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123. Any person who obstructs any official or servant of a municipal corporation in the execution of any provision of this Ordinance or any other Ordinance or law shall be guilty of an offence and shall on conviction be liable to a fine not exceeding twenty pounds or to imprisonment for two months or to both such fine and imprisonment, and the court before which the offender is tried may order him to pay to the corporation such sum by way of damages occasioned by the obstruction as to the court shall seem just.

124.—(1) If the court before which any person is brought for any contravention of this Ordinance or for an offence against this Ordinance or for the breach of any by-law of a municipal council made under this Ordinance, finds such person guilty of such contravention or offence or breach of any by-law, such court shall in addition to the penalty it may consider fit to impose on such person and in addition to the costs of the proceedings order such person to pay any fees or dues connected with the charge which such person ought to have paid and which he failed or refused or neglected to pay.

(2) All such fees and dues ordered by the court to be paid shall be recoverable in the same way as fines and penalties are recovered under any law in force for the time being for the recovery of fines and penalties.

125. Notwithstanding anything contained in section 7 of the Municipal Courts Ordinance, all fines, fees, dues and penalties recovered under this Ordinance, or any by-laws made thereunder, shall be paid into and form part of the municipal fund.

126. Any person who shall contravene any provision of this Ordinance for the contravention whereof no penalty is provided by this Ordinance shall be guilty of an offence and shall on conviction be liable to a fine not exceeding five pounds.

127.—(1) Any person being the occupier of any building in accordance with the provisions of section 101 of this Ordinance who refuses to give to any sub-tenant a receipt in accordance with the provisions of this Ordinance for any payment made by such sub-tenant in respect of rates, shall be guilty of an offence and shall on conviction be liable to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

(2) Any person who gives any other person any receipt in respect of any payment for a proportion of any rate or any document purporting to be a receipt of any such payment which is false in any particular, shall be guilty of an offence and shall be liable to the penalties set out in sub-section (1) hereof.

Obstructing
officials or
servants of
corporation in
execution of
their duties.

No. 59 of 1946.

Court to
order payment
of fees or
dues not paid.

Payment of
fees etc. into
municipal fund.
Cap. 97.
No. 6 of 1945.

Offences not
otherwise
provided for

Receipts in
respect of
rates, etc.

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Notices, etc.
No. 59 of 1946.

(b) left at the usual or last known place of abode or business of such person; or

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(c) forwarded by post in a prepaid registered letter addressed to such person at his usual or last known place of abode or business; or

(d) posted in a conspicuous place on the premises, if any, to which the notice relates.

(2) Any notice or other communication required or authorised by or under this Ordinance to be given or made to the owner or occupier of any premises shall be deemed to be properly addressed if addressed by the description of the "owner" or "occupier" of such premises without any further name or description.

133.—(1) The Ottoman laws mentioned in the thirteenth schedule to this Ordinance shall cease to have effect.

The Ordinances and other enactments mentioned in the fourteenth schedule to this Ordinance are hereby repealed to the extent specified in the third column of that schedule :

Provided

(a) that all municipalities existing immediately before the commencement of this Ordinance and the local council of Tel Aviv shall be deemed to be municipal councils under the provisions of this Ordinance and shall remain in office until replaced by municipal councils elected under the provisions of this Ordinance, and the provisions of this Ordinance shall apply as nearly as possible to such municipalities and local council as though the members thereof had been elected and such municipalities and local council had been constituted under the provisions of this Ordinance, and the mayors and deputy mayors and the president and vice-president thereof shall be deemed to be mayors and deputy mayors as though they had been appointed under the provisions of this Ordinance, and

(b) that all by-laws, rules or regulations lawfully made by any municipality or the local council of Tel Aviv prior to the commencement of this Ordinance, shall remain in full force and effect either :—

(i) until a date being the last day of one year from the date upon which the municipality or the local council by which such by-laws, rules or regulations were made shall be replaced by a municipal council elected under the provisions of this Ordinance, or

(ii) until such date as such by-laws, rules or regulations shall be repealed by by-laws made under the provisions of this Ordinance,

whichever first arrives, and

Repeal and
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(c) that all existing valid licences and permits issued by any municipality or by the local council of Tel Aviv shall be deemed to have been issued under this Ordinance, and it shall not be necessary to obtain under the provisions of this Ordinance any further licence or permit in respect of the matters, acts or things for which such existing licences or permits were issued until the expiration thereof.

(2) Estimates which have been prepared by municipalities and the local council of Tel Aviv and approved by the Government of Palestine prior to the commencement of this Ordinance shall be deemed to be estimates made under the provisions of this Ordinance, and the provisions of this Ordinance shall apply to such estimates.

(3) Any rate or tax lawfully imposed in respect of any period current upon the commencement of this Ordinance, by any municipality or the local council of Tel Aviv, shall be recoverable by the municipal corporation respectively substituted therefor.

(4) Where in any Ordinance or other enactment in force at the commencement of this Ordinance reference is made to any municipality or the local council of Tel Aviv or to any mayor or deputy mayor or president or vice-president thereof such reference shall, unless the context otherwise requires, be deemed to apply to the municipal corporation, or the council thereof, or the mayor or deputy mayor thereof respectively substituted therefor under the provisions of this Ordinance.

FIRST SCHEDULE.

Name : ACRE.

Area : (See : Acre (Variation of Municipal Area) Order, 1942, (Gaz : 10.9.42, p. 1455)).

Number of Councillors : 7.

Name : BEISAN.

Area : (See : Beisan (Variation of Municipal Area) Order, 1936, (Gaz : 16.4.36, p. 248)).

Number of Councillors : 6.

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Name : BEERSHEBA.
Area : (See : Beersheba (Variation of Municipal Area) Order, 1945 (*Gaz* : 29.3.45, p. 290)).
Number of Councillors : 6.

Name : BEIT JALA.
Area : (See : Beit Jala (Variation of Municipal Area) Order, 1942 (*Gaz* : 22.1.42, p. 171)).
Number of Councillors : 7.

Name : BETHLEHEM.
Area : (See : Bethlehem (Variation of Municipal Area) Order, 1942, (*Gaz* : 22.1.42, p. 172)).
Number of Councillors : 8. (See Bethlehem (Increase of Number of Councillors) Order, 1946, (*Gaz* : 3.1.46, p. 4)).

Name : GAZA.
Area : (See : Gaza (Variation of Municipal Area) Order, 1945 (*Gaz* : 22.3.45, p. 237)).
Number of Councillors : 10. (See : Gaza (Decrease of Number of Councillors) Order, 1945, (*Gaz* : 25.10.45, p. 1209)).

Name : HAIFA.
Area : (See : Haifa (Variation of Municipal Area) (Amendment) Order (No. 2), 1940, (*Gaz* : 19.9.40, p. 1233)).
Number of Councillors : 12. (See : Order No. 104 of 1934 (*Gaz* : 21.6.34, p. 508)).

Name : HEBRON.
Area : (See : Hebron (Variation of Municipal Area) Order, 1942 (*Gaz* : 19.2.42, p. 338)).
Number of Councillors : 8. (See : Hebron (Increase of Number of Councillors) Order, 1946 (*Gaz* : 2.5.46, p. 652)).

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Name : JAFFA.
Area : See First Schedule.
Number of Councillors : 11.

Name : JENIN.
Area : See First Schedule.
Number of Councillors : 12.

Name : JERUSALEM.
Area : See First Schedule.
Number of Councillors : 12.

Name : KHAN YUNIS.
Area : (See : Khan Yunis (Variation of Municipal Area) Order, 1945 (*Gaz* : 22.3.45, p. 241)).
Number of Councillors : 6.

Name : LYDDA.
Area : (See : Lydda (Variation of Municipal Area) Order, 1945 (*Gaz* : 31.3.45, p. 294)).
Number of Councillors : 6.

Name : MAJDAL.
Area : (See : Majdal (Variation of Municipal Area) Order, 1945 (*Gaz* : 29.3.45, p. 263)).
Number of Councillors : 6.

Name : NABLUS.
Area : (See : Nablus (Variation of Municipal Area) Order, 1945, (*Gaz* : 29.3.45, p. 267)).
Number of Councillors : 8.

Name : NAZARETH.
Area : (See : Nazareth (Variation of Municipal Area) Order, 1938, (*Gaz* : 1.12.38, p. 1535)).

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Number of Councillors : 7.

Name : RAMALLAH.
Area : See First Schedule.
Number of Councillors : 7.

Name : RAMLE.
Area : (See : Ramle (Variation of Municipal Area) Order, 1942.
(*Gaz* : 10.12.42, p. 1851)).
Number of Councillors : 6.

Name : SAFAD.
Area : (See : Safad (Variation of Municipal Area) Order, 1944.
(*Gaz* : 30.3.44, p. 332)).
Number of Councillors : 8. (See : Safad (Increase of Number
of Councillors) Order, 1947 (*Gaz* : 17.4.47, p. 612)).

Name : SHEFA 'AMR.
Area : (See : Shefa 'Amr (Variation of Municipal Area) Pro-
clamation, 1947 (*Gaz* : 1.4.47, p. 519)).
Number of Councillors : 6.

Name : TEL AVIV.
Area : (See : Tel Aviv (Variation of Municipal Area) Order,
1943 (*Gaz* : 30.3.43, p. 295)).
Number of Councillors : 21. (See : Tel Aviv (Increase of Num-
ber of Councillors) Order, 1947 (*Gaz* : 29.5.47, p. 819)).

Name : TIBERIAS.
Area : (See : Tiberias (Variation of Municipal Area) Order,
1945, (*Gaz* : 29.3.45, p. 270)).
Number of Councillors : 8. (See : Tiberias (Increase of Num-
ber of Councillors) Order, 1947 (*Gaz* : 17.4.47, p. 613)).

Name : TULKARM.
Area : See First Schedule.
Number of Councillors : 6.

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SECOND SCHEDULE.

**Qualifications of Palestinian Citizens to be enrolled as Townsmen
in—**

Acre	Jaffa	Ramallah
Beisan	Jenin	Ramle
Beersheba	Jerusalem	Safad
Beit Jala	Khan Yunis	Shefa 'Amr
Bethlehem	Lydda	Tiberias
Gaza	Majdal	Tulkarm
Haifa	Nablus	
Hebron	Nazareth	

1. In this schedule the term "Palestinian citizen" means any person who has been granted Palestinian citizenship under the provisions of the Palestine Citizenship Order-in-Council, 1925, and, for the purposes only of the first valid election held under this Ordinance, includes any person who can adduce satisfactory evidence that he has applied for Palestinian citizenship under the Palestine Citizenship Order-in-Council, 1925, prior to the first day of September, 1933, and whose application has not been refused.

2. Every male Palestinian citizen shall be entitled to be enrolled as a townsman who

No. 6 of 1945.

- (a) is not less than twenty-one years of age, and
- (b) is not under disability, and

(c) has not been sentenced by a court of law in Palestine to a term of imprisonment of one year or upward, or, if so sentenced, has received a free pardon for the offence for which he was sentenced, and

No. 59 of 1946

(d) has, within the period of twelve months immediately preceding the date prescribed by the Commissioner for the commencement of the preparation or revision of the register of voters under section 14 of this Ordinance, paid any municipal rates due from him in respect of any period of twelve months to an amount of at least one pound upon property within the municipal area:

No. 6 of 1945.

Provided that if any premises within the municipal area are occupied by one or more separate occupiers and municipal rates have been paid upon such premises in respect of any period of twelve months, then in addition to the person who has paid such rates each separate occupier of such premises (not being the person who has paid such rates) at the date prescribed by the Commissioner

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for the preparation of the register of votes under section 14 of this Ordinance or for any revision of such register, shall be deemed to have paid municipal rates for such period of twelve months of an amount equal to the sum obtained when the amount so paid in respect of rates is divided by the number of separate occupiers :

Provided also that no person shall be entitled to be enrolled more than once in respect of one municipal corporation.

THIRD SCHEDULE.

Qualifications of persons to be enrolled as Townsmen in Tel Aviv.

1. Every male or female person shall be entitled to be enrolled as a townsman who

(a) is not less than twenty-one years of age, and

(b) is not under disability, and

(c) has not been sentenced by a court of law in Palestine to a term of imprisonment of one year or upward, or if so sentenced, has received a free pardon for the offence for which he was sentenced, and

(d) is the owner of immovable property in the municipal area or has had his ordinary residence in the municipal area for a period of twelve months immediately preceding the date prescribed by the Commissioner for the commencement of the preparation or revision of the register of voters under section 14 of this Ordinance, and

(e) has, within the period of twelve months immediately preceding the date prescribed by the Commissioner for the commencement of the preparation or revision of the register of voters under section 14 of this Ordinance, paid rates and/or taxes due from him to the council to an amount of at least five hundred mils in respect of any period of twelve months :

Provided that if during any period of twelve months no rates or taxes payable by occupiers are levied and any premises within the municipal area are occupied by one or more separate occupiers and municipal rates and/or taxes have, or if no rates and/or taxes have been payable in respect of such premises urban property tax has, been paid upon such premises, then in addition to the person who has paid such rates, taxes or urban property tax, each separate occupier thereof (not being the person who has paid such rates, taxes or urban property tax) at the date prescribed by the Commissioner for the preparation of the register of voters under section

No. 59 of 1946.

No. 59 of 1946.

No. 3 of 1940.

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14 of this Ordinance or for any revision of such register, shall be deemed to have paid municipal rates and/or taxes for such period of twelve months of an amount equal to the sum obtained when the amount so paid in respect of rates, taxes or urban property tax is divided by the number of separate occupiers.

2. A woman shall be entitled to be enrolled if she is the wife of a person who is entitled to be enrolled in respect of premises in which they reside together.

FOURTH SCHEDULE.

Qualifications of Palestinian citizens to be elected as Councillors for—

Acre	Khan Yunis
Beisan	Lydda
Beersheba	Majdal
Beit Jala	Nablus
Bethlehem	Nazareth
Gaza	Ramallah
Haifa	Ramle
Hebron	Safad
Jaffa	Shefa 'Amr
Jenin	Tiberias
Jerusalem	Tulkarm

1. In this schedule the term "Palestinian citizen" means any person who has been granted Palestinian citizenship under the provisions of the Palestine Citizenship Order-in-Council, 1925, and, for the purposes only of the first valid election held under this Ordinance, includes any person who can adduce satisfactory evidence that he has applied for Palestinian citizenship under the Palestine Citizenship Order-in-Council, 1925, prior to the first day of September, 1933, and whose application has not been refused.

2. Subject to the provisions of section 11(1) (a) (b) (c) and (d) of this Ordinance every male Palestinian citizen who is enrolled and is entitled to be enrolled as a townsman shall be entitled to be elected a councillor, if

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- (a) he has a place of residence within the municipal area; and
- (b) is not less than thirty years of age; and
- (c) has, within the period of twelve months immediately preceding the date of his nomination, paid, or is deemed to have paid under the provisions of the Second Schedule to this Ordinance, in respect of any period of twelve months, municipal rates due from him upon property within the municipal area to an amount of at least two pounds; and
- (d) is not illiterate.

No. 6 of 1945.

No. 59 of 1946.

FIFTH SCHEDULE.

Qualifications of persons to be elected as Councillors for Tel Aviv.

Subject to the provisions of section 11(1)(a) (b) (c) and (d) of this Ordinance every male or female person who is entitled to vote shall be entitled to be elected a councillor if such person,

- (a) is not less than twenty-five years of age, and
- (b) has a place of residence within the municipal area, and
- (c) has in respect of any period of twelve months paid rates due from him to the council to an amount of one pound within the period of twelve months preceding the date of the appointment of the electoral committee.

SIXTH SCHEDULE.

Municipal Corporation of

Claim to be enrolled on register of voters.

I residing at

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.....

My age is years.

No. 59 of 1946.

I have paid the undermentioned rates or taxes *due from me in respect of the undermentioned properties :—

[illegible]

Witness..... Signature.....

Date.....

* The electoral committee may call for the production of receipts for the payment of rates or taxes.

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REGISTER OF VOTERS.

.....

.....

OBJECTION TO REGISTER OF VOTERS.

Any person knowingly making any false statement in this form is guilty of an offence and is liable on conviction to a fine not exceeding twenty pounds, or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment.

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SEVENTH SCHEDULE.

Regulations for the nomination and election of councillors for the municipal corporations of—

Acre	Khan Yunis
Beisan	Lydda
Beersheba	Majdal
Beit Jala	Nablus
Bethlehem	Nazareth
Gaza	Ramallah
Haifa	Ramle
Hebron	Safad
Jaffa	Shefa 'Amr
Jenin	Tiberias
Jerusalem	Tulkarm

Definition.

1. In these regulations—

“Prescribed” means prescribed by the Commissioner.

“Returning Officer” means the returning officer appointed by the Commissioner for the municipal area, or a division of a municipal area, or for any group of such divisions.

Nomination of candidates.

2.—(1) At the prescribed place, time and date candidates for election as councillors for the council, or, where the municipal area has been divided into divisions, candidates for election to represent the division, shall be nominated by handing to the returning officer a form in accordance with form no. 1 in the appendix to these regulations.

(2) Every such form shall be signed by at least six persons whose names appear in the register of voters for the municipal corporation and by the proposed candidate.

(3) No person shall,

- (a) nominate more than one candidate, or
- (b) nominate himself as a candidate.

Deposit by candidates.

3.—(1) Every candidate for the office of councillor who shall be nominated therefor shall deposit with the returning officer the sum of twenty-five pounds.

(2) No candidate who has not complied with the provisions of sub-regulation (1) hereof shall be elected by poll or otherwise to the office of councillor.

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4.—(1) A deposit made by a candidate in respect of any election under the provisions of regulation 3 of these regulations shall be returned to such candidate by the returning officer,

Return of
deposit.

(a) if he is elected a member of the council, or

(b) if he obtains not less than fifteen per centum of the total votes validly polled at the election :

Provided that if he is a candidate for election by a division of a municipal area such deposit shall be returned to him if he obtains not less than fifteen per centum of the votes validly polled in such division, or

(c) if he shall resign his candidature at any time before the date fixed for the taking of the poll.

If he shall not be elected nor obtain such percentage of votes, nor resign, his deposit shall be forfeited and shall be paid into the municipal fund.

(2) If any candidate who has made a deposit shall die before the election his deposit shall be returned to his personal representative or heirs.

5. If within one hour after the time prescribed for the nomination of candidates no more candidates have been nominated than there are vacancies to be filled by election, the persons nominated shall be declared by the returning officer to have been duly elected, and the returning officer shall forthwith, in writing, report the names of those persons to the Commissioner, and the Commissioner shall cause their names to be published in the *Gazette*.

Unopposed
election.

6. If within one hour after the time prescribed for the nomination of candidates there are more candidates nominated than there are vacancies to be filled by election the returning officer shall adjourn the election for the taking of a poll on such date as may be prescribed by the High Commissioner in accordance with section 18.

Election
by poll.

No. 59 of 1946.

7.—(1) Any person nominated as a candidate may at any time, prior to the date prescribed for the taking of the poll, resign his candidature by giving notice in writing to the returning officer.

Candidates
may resign.

(2) If by reason of any resignation under the provisions of sub-regulation (1) hereof there are no more candidates remaining than there are vacancies to be filled by election the remaining candidates shall be declared by the returning officer to have been duly elected and no poll shall be held.

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Provision of
ballot boxes,
etc.

8. The electoral committee shall appoint such places and such number thereof within the municipal limits as may be convenient for the taking of the poll (hereinafter called the polling stations).

9. Not less than seven days before the date prescribed for the taking of the poll the electoral committee shall give notice of

- the date fixed for the taking of the poll,
- the names of candidates for election,
- the situation of the polling station or stations,
- the hours at which the polling stations will be open.

10.—(1) The returning officer shall appoint a presiding officer for each polling station who shall superintend the taking of the poll and the maintenance of order thereat.

(2) The returning officer shall appoint such number of assistants to the presiding officer as may appear to him to be necessary for each polling station.

11. No persons other than the voters provided for in these regulations shall be present in any polling station during the conduct of the election, except

- (a) the presiding officer and his assistants,
- (b) such members of the Police Force as the presiding officer shall consider necessary for the maintenance of order,
- (c) any candidate for election,
- (d) not more than one representative of each candidate for election,
- (e) any member of the electoral committee,
- (f) the returning officer,
- (g) the Commissioner,
- (h) any District Officer of the Sub-District in which the municipal area is situated.

12. The electoral committee shall furnish the presiding officer of each polling station with,

- (a) one or more ballot boxes of a type to be approved by the High Commissioner, and
- (b) two copies of the register of voters for the municipal corporation or the division, and
- (c) an adequate supply of ballot papers in a form to be approved by the High Commissioner.

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Hours for
polling.

Preliminaries to poll.

Manner of
voting.

14.—(1) The presiding officer shall before the commencement of the polling exhibit all the ballot boxes open and empty to any candidate, or his representative if respectively present, and to all other persons who may be present in the polling station, and shall thereafter in the presence of such persons, if any, close, lock up and place a seal upon such boxes in such a manner as to prevent their being opened without breaking the seal.

15.—(1) On admission to the polling station each voter shall state his name and address, and an assistant to the presiding officer shall thereupon place a mark against the name of such voter in the register of voters.

(3) The voter shall then retire to a table within the polling station, and having indicated his vote on the paper and folded it so as to conceal his vote, but to show the initials of the presiding officer on the back, shall place it in the ballot box in the presence of the presiding officer.

(4) The presiding officer shall make a mark against the name of the voter on his copy of the register of voters to indicate that the vote of that person has been received.

(5) Not more than four electors shall be in the polling station at any one time :

Provided that the presiding officer may at his discretion direct that a greater or less number of voters may be in the polling station at any one time.

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Provided that no voter shall place a mark against the names of more candidates than there are vacancies to be filled by the election :

(7) Not more than one mark may be placed against the name of any candidate.

Questions to
voters.

(b) "Have you already voted at this election, either here or elsewhere?"

Personation.

Disposal of
ballot box.

18.—(1) As soon as practicable after the close of the poll the presiding officer shall in the presence of such candidates, or their agents, as may be present in the polling station, close and seal up the openings of the ballot boxes in use at the polling station.

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and shall deliver such ballot boxes as soon as possible to the returning officer.

(2) If the poll is extended to the next day under the provisions of regulation 13 of these regulations the presiding officer shall take adequate precautions for the safety of the ballot boxes during the interval.

19.—(1) The returning officer may appoint such number of assistants as he may think necessary to assist him in the counting of votes.

Counting
of votes.

(2) The returning officer shall make arrangements for the counting of votes in the presence of such candidates or such agents of candidates as may be present, and not less than one half of the members of the electoral committee as soon as practicable after the closing of the poll; and shall give to the candidates or their agents and the members of the committee notice of the time and place at which he will begin counting.

(3) The returning officer and his assistants and the candidates and their agents and the members of the electoral committee and the Commissioner but no other person, except with the sanction of the Commissioner, may be present at the counting of votes. If any candidate or his agent shall fail to be present at the counting of the votes, the returning officer shall proceed as if the candidate were present in person or represented by his agent.

(4) If the counting cannot be completed in one sitting, the returning officer shall take adequate precautions for the safety of the ballot papers during the interval.

(5) Any ballot paper which,

- (a) has not on its back the initials of the presiding officer, or
- (b) contains more than one vote for any one candidate, or
- (c) contains votes for more candidates than there are vacancies to be filled, or

(d) is so marked as to be uncertain for which candidate a vote is intended to be recorded,
shall be void and shall not be counted.

(6) The returning officer shall mark "Rejected" on any ballot paper which he may reject as void, and shall keep a record of the number of ballot papers so rejected.

(7) In considering whether or not to reject any ballot paper the returning officer may consult with any member of the electoral committee then present, and the decision of the returning officer as to the validity of any ballot paper shall be final.

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20.—(1) The candidate receiving the greatest number of votes shall, subject to the provision of sub-regulation (3) hereof, be publicly declared by the returning officer to be elected and the candidate receiving the next number of votes shall be in the same manner declared to be elected if there be another vacancy, and so on in like manner until all the vacancies have been filled :

Provided that if one vacancy or more than one vacancy is or remains to be filled and two or more candidates have received an equal number of votes such vacancy or vacancies shall be filled by the drawing of lots by such candidates, or their duly appointed representatives, under the supervision of the returning officer and the candidate or candidates upon whom the lot falls shall be declared duly elected.

(2) Upon the declaration of election of any candidate or candidates, the returning officer shall forthwith, in writing, report to the Commissioner the name or names of such candidates, who shall, unless the High Commissioner considers that an election in accordance with these regulations has not been held, cause the name or names of such candidates to be published in the *Gazette*.

(3) If the returning officer considers that from any cause an election in accordance with these regulations has not been held he shall withhold the public declaration of the result of such election, and forthwith, in writing, furnish a report to the Commissioner for the information of the High Commissioner.

(4) If for any reason the High Commissioner is of opinion that any election has not been held in accordance with these regulations, he shall by proclamation declare such election to be void and order another election to be held at the earliest possible date.

21. After the declaration of the poll the returning officer shall make up into one parcel the ballot papers, marked copies of the register of voters, lists of persons admitted to vote under regulation 17 of these regulations and all other papers used in connection with the taking of the poll at the polling stations under his jurisdiction, and shall seal up such parcel in such manner that it cannot be opened without breaking the seal, and shall send such parcel to the Commissioner, who shall deal therewith in such manner as the High Commissioner may direct.

22.—(1) Within seven days after the day of the election of a councillor every candidate at such election shall send to the Commissioner a return of all expenses incurred by such candidate or his agents on account of or in respect of the conduct or management of such election vouched (except in the case of sums under one pound) by bills, stating the particulars and receipts and ac-

Return of
expenses.

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accompanied by a declaration made before a Notary Public in a form in accordance with form no. 2 in the appendix to these regulations.

(2) If any candidate fails without reasonable cause to make the said return and declaration within the time specified in sub-regulation (1) hereof he shall be guilty of an illegal practice, and if he knowingly makes the said declaration falsely he shall be guilty of an offence and on conviction therefor shall be liable to the punishment by law provided for perjury.

APPENDIX.

Form No. 1.

NOMINATION PAPER.

Election to the Council of the municipal corporation of

.....

We the undersigned

..... of
 of
 of
 of
 of
 of

being entitled to vote at an election of councillors for the municipal corporation of do hereby nominate the following person as a proper person to serve as a councillor on the said council :

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Name in full of person nominated *Place of abode* *Profession or calling*

And I the said do hereby consent to the nomination appearing above, and I the said hereby certify that I am qualified to be a councillor for the municipal corporation of in accordance with the provisions of the Municipal Corporations Ordinance, 1934.

Dated the day of 19....

(Signature of Candidate).

Form No. 2

DECLARATION BY CANDIDATE AS TO EXPENSES.

I,, having been a candidate at the election of a councillor (or councillors) for the council of the municipal corporation of....., on the day of declare and say as follows :—

I have paid for my expenses at the said election, and, except as aforesaid, I have not, and to the best of my knowledge and belief, no person, nor any club, society or association has on my behalf made any payment, or given, promised or offered any reward, office, employment or valuable consideration, or incurred any liability on account of or in respect of the conduct or management of the said election.

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And I further declare that, except as aforesaid, no money, security or equivalent for money has to my knowledge or belief been paid, advanced, given or deposited by anyone to or in the hands of myself, or any other person, for the purpose of defraying any expenses incurred on my behalf on account of or in respect of the conduct or management of the said election.

And I further declare that I will not at any future time make or be a party to the making or giving of any payment, reward, office, employment or valuable consideration for the purpose of defraying any such expenses as last mentioned, or provide or be a party to the providing of any moneys, security or equivalent for money for the purpose of defraying any such expenses.

Signature

Declared by the above-named on the day
of before me.

(Signed)

Notary Public

EIGHTH SCHEDULE.

REGULATIONS FOR THE NOMINATION AND ELECTION OF COUNCILLORS FOR THE MUNICIPAL CORPORATION OF TEL AVIV.

1.—(1) Each candidate shall be nominated in writing on a separate nomination paper as prescribed in the form in the appendix hereto subscribed by the candidate and by not less than six voters. The nomination paper shall be delivered to the returning officer appointed by the Commissioner for the municipal area of Tel Aviv (hereinafter called the returning officer) at a time

Nomination of
candidates.

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(2) Any person who is entitled to vote may, by notice in writing within seventy-two hours of the time at which the nomination papers are posted, object to the returning officer to the nomination of any candidate as not being duly qualified or as not having been duly nominated. The returning officer shall decide finally on any objection.

(4) If the election is to be contested, the returning officer shall by notice appoint a day, not less than ten days after the day appointed for nomination, on which a poll will be held.

(6) No party list shall contain the names of less than three candidates nor be signed by less than two hundred voters. No voter shall sign more than one party list.

(2) No candidate who has not complied with the provision of sub-regulation (1) hereof shall be elected by poll or otherwise to the office of councillor.

(a) if he is elected a member of the council, or

(b) if one or more persons whose names appear in the party list in which the name of the candidate appears is or are elected, or

(c) if he shall resign his candidature at any time before the date fixed for the taking of the poll.

If he shall not be elected or if no other candidate whose name appears in the party list in which the name of the candidate appears is elected, his deposit shall be forfeited and shall be paid into the municipal fund.

4. The returning officer shall cause notice of the day, the time and the place appointed for taking the poll and of the name, residence and calling of each candidate to be posted at several conspicuous places, not less than three days before the taking of the poll.

Notice
of poll.

5.—(1) The poll shall be taken by secret ballot.

The poll.

(2) The returning officer shall be responsible for the conduct of the poll, and may appoint such persons and clerks as he sees fit to assist him therein.

(3) The returning officer shall provide for use at each polling station :—

(a) a copy of the register of voters or registers of voters for the division or divisions concerned;

(b) a box for the receipt of the votes (hereinafter called the ballot box) which shall be provided with a lock and key;

(c) an adequate supply of envelopes to contain the party lists brought by the voters;

(d) copies of the validly nominated party lists, which shall be placarded in conspicuous places in the polling station.

(4) The returning officer may appoint any fit person to be in charge of a polling station (hereinafter included in the term returning officer) and a clerk or clerks to assist him, provided that every person so appointed shall, before entering upon his duties, take an oath to observe the secrecy of the ballot.

(5) The returning officer shall, before the commencement of polling, exhibit the ballot box open and empty to the members of the electoral committee, if any are present, or to any other person who may be present, and shall thereafter in their presence lock up and place a seal upon it in such manner as to prevent it being opened without breaking the seal. He shall then explain to such persons as may be present the manner of voting, and the number of persons for whom votes may be given.

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(6) (a) Every voter shall bring with him or obtain at the polling station a copy of the party list of candidates for which he desires to vote. All party lists shall be on white paper and of dimensions and form prescribed by the returning officer.

(b) On admission the voter shall produce his voter's identity card, and the clerk shall thereupon place a mark against the name of such voter in the copy of the register of voters.

(c) The returning officer shall then stamp the identity card with the word "Voted" and shall retain it, and shall mark an envelope with his initials and deliver it to the voter.

(d) The voter shall enclose his copy of the party list in the envelope delivered to him by the returning officer and shall place the envelope with its enclosure in the ballot box in the presence of the returning officer.

(7) The voter shall delete from his party list not less than half the number of names, provided that if the number of names be an odd number, he shall delete not less than one more name than he retains. He shall not add any name to the party list.

(8) The returning officer shall make arrangements regarding the counting of the votes in the presence of the candidates or their agents and the electoral committee as soon as practicable after the closing of the poll; and shall give to the candidates or their agents and the committee notice of the time and place at which he will begin the counting.

(9) The returning officer and his assistants and the candidates and their agents and the members of the electoral committee, and no other person except with the sanction of the Commissioner, may be present at the counting of votes. If any candidate or his agent shall fail to be present at the counting of the votes, the returning officer shall proceed as if the candidate were present in person or represented by his agent.

(10) If the counting cannot be completed in one sitting, the returning officer shall take adequate precautions for the safety of the ballot papers during the interval.

(11) (a) Any party list not enclosed in an envelope initialled by the returning officer shall be void and not counted.

(b) If more than one party list be enclosed in an envelope, all of them shall be void and the vote not counted.

(c) If any names have been added to a party list the whole list shall be void and the vote not counted.

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(12) If the voter has not deleted a sufficient number of names from a party list, the returning officer or his clerk shall make the necessary number of deletions, beginning from the bottom of the list.

(13) The total number of party lists cast by the voters shall be divided by the number of seats on the council to be filled, and the quotient to the nearest integer shall be the quota of votes required to qualify for a seat.

(14) Each party shall be entitled to one seat on the council for each quota of votes it receives.

15.—(a) The remaining seats shall be allotted to the parties having, whether separately or in combination as provided in paragraph (b) hereof, the largest remainder of votes after subtraction of the complete quotas,

provided that if the total number of party lists cast for an electoral party is less than the quota, this total number shall rank as a remainder vote, and provided further that, if the combination of two or more remainder votes exceeds the quota, a seat shall be allotted for each complete quota and the secondary remainder shall continue to rank as a remainder vote.

(b) It shall be lawful for two or more parties to enter into an agreement to pool their remainder votes in the manner provided in regulations 6 and 7 of this Schedule.

(16) The order of priority of candidates within any party list shall be governed by the number of votes cast for each of the candidates.

(17) Where an equality of votes is found to exist between any candidates at an election, the priority shall be decided by the drawing of lots in public by the returning officer.

(18) Immediately after the counting is over, the returning officer shall prepare a list showing the result of the poll and shall post it on the door of the council's offices and on or by the door of places of worship and shall cause the names of the candidates elected to be published in the *Gazette*.

6.—(1) It shall be lawful for two or more electoral parties to enter into an agreement (hereinafter called 'an electoral agreement') to pool their votes :

Provided that no electoral party shall become a party to more than one electoral agreement in respect of any particular election.

(2) An electoral agreement shall be in writing and shall only record the consent of the electoral parties which have entered into the agreement to pool their votes in the event of a poll, and shall

No. 6 of 1945.

No. 59 of 1946.

Electoral

agreements.

No. 6 of 1945.

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Electoral
blocks.
No. 6 of 1945.

be signed on behalf of each such electoral party by at least a majority of the duly nominated candidates thereof. No such agreement shall be of any effect unless it has been duly delivered to the returning officer not less than three days before the poll and posted by him outside the council's offices and on or by the door of places of worship.

7.—(1) For the purposes of this regulation, the expression 'electoral block' means every combination of electoral parties which have entered into a valid electoral agreement under regulation 6 and also every electoral party which is not a party to an electoral agreement.

(2) Each electoral block shall be entitled to one seat on the council for each quota of votes it receives.

(3) The remaining seats shall be allotted to the electoral blocks having the largest remainder of votes after subtraction of the complete quotas: Provided that, when a block has received a number of votes which is less than a full quota, all votes so obtained shall be deemed to be a remainder of votes.

(4) The seats allotted to an electoral block shall, if such electoral block comprises more than one electoral party, be distributed amongst such parties in the following manner:—

(a) each electoral party being comprised in such electoral block shall be entitled to one seat on the council for each quota of votes it receives.

(b) the remaining seat or seats allotted to such electoral block shall be allotted to the electoral party or parties comprised in such electoral block having the largest remainder or remainders of votes after subtraction of the complete quotas:

Provided that when an electoral party has received a number of votes which is less than a full quota all votes so obtained shall be deemed to be a remainder of votes.

APPENDIX.

FORM OF NOMINATION PAPER.

Election to the Council of the municipal corporation of Tel Aviv

We the undersigned

..... of

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..... of

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being entitled to vote at an election of councillors for the municipal corporation of Tel Aviv do hereby nominate the following person as a proper person to serve as councillor on the said council :

<i>Name of person nominated in full</i>	<i>Place of abode</i>	<i>Profession or calling</i>
.....
.....

And I the said
do hereby consent to the nomination appearing above and I the
said do hereby certify that I am
qualified to be a councillor for the municipal corporation of Tel Aviv
in accordance with the provisions of the Municipal Corporations
Ordinance, 1934.

Dated the day of 19....

(Signature of Candidate).

NINTH SCHEDULE.

REGULATIONS FOR MEETINGS AND PROCEEDINGS OF COUNCILS.

1. There shall be at least one ordinary meeting of the council in each month for the transaction of general business which shall be held on the day or days to be fixed by the council.

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10. All acts of the council and all questions coming or arising before the council may be done and decided by a majority of such members of the council as are present and vote, the whole number present at the meeting whether voting or not, not being less than a quorum, that is to say half of the number of the whole council plus one, except in any case where this Ordinance or any other Ordinance or law provides for a special quorum :

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Provided that if the number of the council shall be an odd number a quorum shall consist of half the number which exceeds the number of the council by one, e.g. if the number of the council is nine, the quorum would be five :

Provided also that if at three successive ordinary meetings of the council there be not a quorum of councillors present, any resolution passed by the third meeting, relating to any business, notice of which has been given by the summonses issued in respect of all such meetings, may be submitted to the Commissioner and if he approves thereof, such resolution shall be deemed to have been as lawfully made as though there had been a quorum of the council present at such meeting. Nothing in this proviso shall be deemed to affect any provisions of this Ordinance or any other Ordinance or law requiring any matter to be approved by a stated majority of councillors.

11. In the case of equality of votes, the chairman of any meeting shall have in addition to his own vote a second or casting vote.

12. A record of all the resolutions taken at every meeting shall be drawn up correctly by the town clerk or some other official appointed by the council and entered by him in a book kept for that purpose, and shall be signed by all the members assenting thereto and shall be confirmed as a true record of all resolutions taken.

TENTH SCHEDULE.

PREPARATION OF MUNICIPAL ESTIMATES.

The estimates shall be prepared in accordance with the following provisions :—

1. Against each item of revenue and expenditure the amount estimated for the coming year, and the amount of the approved estimate for the current year, shall be shown.

2. The estimates of revenue shall include all fees, fines, dues, rents, rates and other moneys payable into the municipal fund and shall be arranged under comprehensive heads.

Receipts in respect of undertakings certified by the High Commissioner to be undertakings of public utility shall be shown separately.

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9. The estimates when submitted to the High Commissioner shall be accompanied by explanations respecting every item of an unusual nature therein comprised and of the difference under each item between the proposed expenditure or anticipated revenue and the approved estimate for the preceding year, as shown in the parallel columns.

1.—(1) The Tender Committee will advertise requirements in such of the local papers as may by (*sic*) necessary to give general publicity.

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(2) Advertisements will, as a rule, be confined to a brief description of the requirements, and afford such information as may be essential. Except in special cases, there should be only one insertion in newspapers.

(3) The notice should state that the necessary forms can be obtained and the general conditions of the contract ascertained from the town clerk or from some other official appointed by the council.

2. As soon as tenders are received, they will be deposited in a locked box to be kept at the municipal office for the purpose. The box will have at least two different locks, the keys of which will be retained by such different persons as the council shall appoint.

3. All tenders will be opened in the presence of the committee and registered by the town clerk or by some other official appointed by the council.

4. Tenders and supporting schedules must be carefully examined by the committee.

5.—(1) Defective tenders will not be considered except in cases where the defect can be rectified without prejudice to other tenderers. Any such tenders must be rectified before acceptance.

(2) Tenders by telegram or late tenders will not be considered.

6. The lowest tender will, as a rule, be recommended for acceptance, provided that the prices quoted are reasonable, and that the committee is satisfied as to the suitability of the tenderer. When the lowest tender is not recommended the committee will record their reasons.

7. All tenders received by the committee should be duly filed for reference.

TWELFTH SCHEDULE.

No. 3 of 1940.

NOTICE OF OBJECTION.

To :—

The Chairman,

Assessment Committee,

Municipal Offices.

.....

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Municipal Area of entered as follows:

.....

so that the Net Annual Value shall be inserted as follows :—

This day of 19.....

Signature.....

Address.....

NOTE.—This notice must be served on the Assessment Committee in accordance with section 110 of the Ordinance within 14 days after the Assessment List has been published. The grounds of objection must be stated.

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THIRTEENTH SCHEDULE.

- The Vilayet Law of 1281, A. H. (1864)
- The Regulation concerning Roads of 1286, A. H. (1869)
- The Law regarding the administration of Vilayets of 1287, A. H. (1871)
- The Law regarding the administration of Vilayets of 1287, A. T. (1875).
- The Regulation regarding the administration of Vilayets of 1293, A. H. (1876).
- The Regulation regarding the administration of Nahias of 1293, A. H. (1877).
- The Regulation for the construction and alignment of roads 1309, A. H. (1891).
- The Regulation concerning the construction and maintenance of roads of 1304, A. H. (1887) and the amendment thereto of 1312, A. H. (1895).
- The Municipal Law 1294, A. H. (1877) and the amendments thereto of 1304, A. H. (1886), 1308, A. H. (1890) and 1330, A. H. (1912).
- The whole of articles 6, 10, 11, 12, 13, 14, 15, 16, 22, 23, 24, 25, 26, 27, 28 and 29 and articles 17, 18, 20 (so far as they relate to contract stamps) of the Law regarding leases of immovable property of 1299 (1882) as amended by the Law of 1332 (1914).
- The Provisional Law for the general administration of Vilayets of 1331, A. H. (1913) with the amendment of 1332, A. H. (1914).
- The Municipal Tax Law of 1333, A. H. (1915).

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FOURTEENTH SCHEDULE.

<i>No. and year</i>	<i>Short Title of Ordinance</i>	<i>Extent to which repealed</i>
—	Trial of contraventions against Municipal Regulations Ordinance, 1918	The whole.
—	The order of the Military Administration No. 3026 F of the 14th January, 1919, regarding the imposition of House Rate—	The whole.
4 of 1922	The Municipal Loans Ordinance, 1922	Such part as applies to municipal areas.
19 of 1924	The Werko Tax and Municipal House Rate Validation Ordinance, 1924	Section 2.
22 of 1925	The Municipal Rates Ordinance, 1925	The whole.
5 of 1925	The Determination of Areas of Municipalities Ordinance, 1925	The whole.
45 of 1926	The Municipal Franchise Ordinance, 1926	The whole.
46 of 1926	The Municipal Franchise (Amendment) Ordinance, 1926	The whole.
15 of 1927	The Municipal Franchise Amendment Ordinance, 1927	The whole.
44 of 1929	The Local Authorities (Replacement) Ordinance, 1929	Such part as applies to municipal areas.
5 of 1930	The Municipal Councils Ordinance, 1930	The whole.
17 of 1930	The Sewerage and Drainage Ordinance, 1930	Such part as applies to municipal areas.
No. 40 of 1935,	The Order dated the eleventh day of May, 1921, and published in the <i>Gazette</i> dated the first day of June, 1921, regarding the township of Tel Aviv.	The whole.

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FOREIGN OFFICE, S.W.1.

(E 8450/1102/31)
RESTRICTED

5th July, 1948.

Dear Consulate-General,

We enclose herein a copy of a letter from the Colonial Office about the position of three British Servants of the Jerusalem Municipality, who are at the moment on leave, enquiring into the possibilities of their being re-engaged or, failing this, paid the pensions due to them, by whatever municipal authority finally emerges in Jerusalem.

2. We have seen from a recent United Nations press release that the Municipal Commissioner, Mr. Harold Evans, has returned, or is returning, to the United States: and while it will not therefore be possible to approach him, as suggested in the Colonial Office letter, we should nevertheless be grateful if you would keep the case of these three men in mind, and do what you can for them as soon as a competent municipal authority is set up. In any case the Colonial Office would be grateful for some indication of the prospects before October 1948.

3. We are also enclosing for ease of reference a copy of the Palestine Government Municipal Corporations Ordinance 1934 referred to in the Colonial Office letter.

Yours ever,

EASTERN DEPARTMENT.

British Consulate-General,
Jerusalem.

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E

E 8518

147

24 JUN 1948

Registry Number E8518/1102/31

FROM COLONIAL OFFICE
(Mr Williams) to Mr.
Balfour.
No. 52412 Appts.

Dated 21 Jun 48

Received in Registry 24 Jun 48

Passage to U.K. for Mr. Izrael Zlotnik and family.

Requests assistance of His Majesty's Consul General in Palestine to secure passage to U.K. for Mr Zlotnik and family. Mr Zlotnik is a naturalised British subject who has applied for an appointment in the Colonial Veterinary Service, where his services would be valuable. Encloses a letter from Mr Zlotnik to the Colonial Office, pointing out that he does not come under the category of expatriate officers after the end of the Mandate, and being a Jew, he may experience some difficulty in obtaining transport from Palestine after 15 May.

Last Paper

E 8450

References

(Print)

(How disposed of)

Ept. Board General

H.M.P.

from E. 8450

✓ (H.M.P.)

July 6

Comp. Mr. Williams

B.P.

✓ July 6

OVER

(Action completed)

(Index)

Next Paper

E 866

(Minutes.)

See within:-

- 1) CO Tel PACO 3 of 27/5/48
- 2) PACO by memo Tel of 9/6/48.

D.H.

L.T. 2.vii

- 1) C.O. 25. - Thompson H.M.P. Balfour, 52412 appts) Dec/12

Ept. Letters to C.O. and to H.M.P.

B.u. on Feb/15th, unless reply received from H.M.P. memorandum.

- 2) C.O. (Mr. Reeves - Mr. Balfour 2/2

L.T. 8.vii

A.U. 1.vii

L.T. 20.vii

PUBLIC RECORD OFFICE

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Dft) C-g Warfa
 from E Sept/ 10 Jan.

Dft) A. G. Denton-Thompson,
 Colonial Office
 ✓ 10 Jan.

TEL: WHITEHALL 2966.

Tel.: ABB. 1292 1

Extension.

Communications on this subject
should be addressed to—

THE DIRECTOR OF RECRUITMENT,
(Colonial Service),

COLONIAL OFFICE,
15, VICTORIA STREET,
LONDON, S.W.1

and the following
Number quoted: 52412 Appts.

COLONIAL OFFICE,
15, VICTORIA STREET,
S.W.1

21 June, 1948.
E 8518

24 JUN 1948

Dear Balfour,

I should be glad of your help in dealing
with the case of a naturalized British subject,
Mr. Izrael Zlotnik, now resident in Palestine.

We have received an application from
Mr. Zlotnik for an appointment in the Colonial
Veterinary Service, and I enclose a copy of the
last letter which we received from him before
the termination of the Mandate. We should like
to know whether there is any possibility of
getting in touch with this applicant through
His Majesty's Consul General in Palestine with a
view to helping him to secure a passage to the
United Kingdom. We realise that, as he is a
Jew, Mr. Zlotnik may be forcibly prevented from
leaving Palestine by his fellow countrymen, but
we should like to assist him as he is a highly
qualified veterinary officer, and in the Colonial
Service there are always too many vacancies
chasing too few suitably qualified men.

Further particulars of his naturalization
papers are available, if you should wish to have them.

Yours sincerely,

William

D. BALFOUR, ESQ.

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COPY

Government Veterinary Laboratory,
P.O.B. 658, Tel-Aviv,
Palestine.

14th April, 1948.

Colonial Office,
15, Victoria Street,
London, S.W.1.

Reference: Your 52412 Appts.,
dated 5th April, 1948.

Sir,

With reference to the above I beg to inform you that it is my intention to return to the United Kingdom as soon as it will be possible to do so.

In view of the fact that I am now in charge of the Veterinary Laboratory and the only veterinarian there, I have to remain on my post until the termination of the British Mandate in Palestine, that is until the 15th May. Further, as under the terms of my appointment I do not belong to the category of expatriate officers, I fear that owing to the present disturbances in Palestine I may have great difficulties in obtaining transport for myself and family. Therefore, I am in this unfortunate position that I cannot state the exact date of my return to the United Kingdom, unless however the British representative in Palestine after May 15th will be able to help me secure passage.

I am, Sir,

Yours very obediently,

(Sgd) I. Zlotnik.

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2

INWARD TELEGRAM
TO THE SECRETARY OF STATE FOR THE COLONIES

En Clair

FROM PALESTINE ACCOUNTS CLEARANCE OFFICE,
CYPRUS.

D. 9th June, 1948.
R. 10th " " 06.45 hrs.

PACO

Your telegram No. 3 dated 27th May
regarding evacuation Zlotnik family.

Grateful for information if family safe
and in safety zone pending evacuation.

Copies sent to:-

Foreign Office - Communications Dept.

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LD 11418

Sent 27th May, 1948. 17.46 hrs.

2044 May For following from Woman to Foreign Office No. 397
Janko Palestine Clearance Officers. Begline

collected from Scandinavian Fogies.

2. Please inform all of your May 1968 reporting executives
of this policy. Please inform all types inst. interest and
and press of this. Inform them to do all they can to comply with
banks' requests. Further information will be passed to you
when available. Yours,

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

[illegible]

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Mr. Peterson
Mr. Johnson
Mr. Housley
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Miss
Miss Fisher
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U. S. DEPARTMENT OF JUSTICE											
OFFICE OF THE ATTORNEY GENERAL											
WASHINGTON, D. C.											
Reference: -											
FO 371 / 68652											
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~~Top Secret~~
Secret
~~Confidential~~
Restricted
~~Open~~

from
E. Dept:

Cy. Mr Williams
C.O.
Less (ends) of his
letter.

Dear Consulate General.

We enclose
herewith a copy of a letter from
the Colonial Office and its
enclosure about Mr ZLOTNIK.
who is an applicant for an
appointment in the Colonial
Veterinary Service, and we shd.
be grateful for anything that
you can do to assist Mr ZLOTNIK
in securing a passage to the United
Kingdom for himself & his family.

Yeo Ever Eastern Dept.

4. 2: ~~iii~~

NOTHING TO BE WRITTEN IN THIS MARGIN.

83854) Wt.14696/147 250,000 6/47
A. & E.W.Ltd. Gp.685

1	2	3	4	5	6
				2	

FO 371 / 68652

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153

FOREIGN OFFICE, S.W.1.

6th July 1948.

(E 8518/1102/31)

RESTRICTED

Dear Consulate-General,

We enclose herewith a copy of a letter from the Colonial Office and its enclosure about Mr. Zlotnik, who is an applicant for an appointment in the Colonial Veterinary Service, and we should be grateful for anything that you can do to assist Mr. Zlotnik in securing a passage to the United Kingdom for himself and his family.

Yours ever,

EASTERN DEPARTMENT.

British Consulate-General,
Haifa.

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Tel. : WHI. 2366

Extension

Communications on this subject
should be addressed to—

THE DIRECTOR OF RECRUITMENT,
(Colonial Service),

COLONIAL OFFICE,

~~15, VICTORIA STREET,~~

LONDON, S.W.1

and the following
Number quoted: 52412 Appts.

p.w. & Gulest
154
COLONIAL OFFICE,

~~15, VICTORIA STREET,~~

S.W.1

SANCTUARY BUILDINGS,
GREAT SMITH STREET, S.W.1

INDEXED 24 December, 1948.

Your Reference: 8518/1102/31

Dear Balfour,

8578/1102/31
We wrote you on the 21st June about
Mr. Izrael Zlotnik, who wishes to obtain a Veterinary
post in the Colonial Service, asking you whether
something could be done to help him to secure a
passage from Palestine to the United Kingdom and on
the 6th July you very kindly wrote to the Consulate-
General in Haifa in this connection.

As Mr. Zlotnik is a very promising
candidate we should be interested to learn whether
you have heard from Haifa what his prospects are of
returning to the United Kingdom.

Yours sincerely,

A. G. Denton-Thompson

DENTON-THOMPSON

D. BALFOUR, ESQ.

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Reference:-					
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Registry
No. E 8518/1102/31

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Open.

D.B.

Draft.

A.G. Denton-
Thompson, Esq.,
COLONIAL OFFICE.

Dear Denton-Thompson,

Thank you for your letter (reference No. 52412 Appts.) of 24th December regarding Mr. Izrael Zlotnik.

when
Mr. Williams wrote to me on this same subject last June, we forwarded a copy of his letter and its enclosure to the Consulate-General in Haifa and asked them to do what they could to assist Mr. Zlotnik in securing a passage to the United Kingdom for himself and his family. I regret to say that there was no reply and that, in consequence, the whole matter was forgotten. Our bag service with Haifa has been extremely irregular, and owing to the difficulties of the situation in Palestine, the Consulate-General *have* ~~has~~ also had to destroy confidential papers at regular intervals. This is all I can offer, for the ~~time~~ *being*, as an explanation, but I have today *again* written to Haifa *further* enclosing ~~both~~ copies of the original correspondence of June ~~21st~~ and also of your recent letter and asking for all possible action in favour of Mr. Zlotnik. I will let you know as soon as a reply is forthcoming.

Yours sincerely,

10 January, 1949.

OUT FILE + inc C.

NOTHING TO BE WRITTEN IN THIS MARGIN.

(84616) W.L.B. 382/152 50,000 1947 A.A.E.W.Ltd. Gp. 488
(85708) W.L.B. 382/152 150,000 1948

10/1.

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OUT FILE

156

FOREIGN OFFICE, S.W.1.

10th January 1949.

(E 8518/1102/31)

Dear Denton-Thompson,

Thank you for your letter (reference No. 52412 Appts.) of 24th December, regarding Mr. Izrael Zlotnik.

When Mr. Williams wrote to me on this same subject last June, we forwarded a copy of his letter and its enclosure to the Consulate-General in Haifa and asked them to do what they could to assist Mr. Zlotnik in securing a passage to the United Kingdom for himself and his family. I regret to say that there was no reply and that, in consequence, the whole matter was forgotten. Our bag service with Haifa has been extremely irregular, and owing to the difficulties of the situation in Palestine, the Consulate-General have also had to destroy confidential papers at regular intervals. This is all I can offer, for the time being, as an explanation, but I have today again written to Haifa, enclosing further copies of the original correspondence of 21st June and also of your recent letter and asking for all possible action in favour of Mr. Zlotnik. I will let you know as soon as a reply is forthcoming.

Yours sincerely,

(sgd) D. Balfour

A.G. Denton-Thompson, Esq.,
Colonial Office.

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Registry
No. **E8518/1102/31**

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D.B.

Draft

H.M. Consulate-
General,
HAIFA

From: Eastern
Department.

*E 8518/1102/31
C.O. letter + return
1/14 April return
1.2 letter*

NOTHING TO BE WRITTEN IN THIS MARGIN.

(24615) Wt. 24,582/102 50,000 12/47 A. & E. W. Ltd. Gp. 685
(24708) Wt. 18,452/159 150,000 8/48

12/1
9/1

10 January, 1949. *157*
+ m o c

OUT FILE

Dear Consulate General,

On July 6th last year we wrote to you under the above reference forwarding a copy of a letter from the Colonial Office and its enclosure about Mr. Zlotnik, an applicant for an appointment in the Colonial Veterinary Service, and asked that ~~everything~~ possible should be done to help Mr. Zlotnik in securing a passage to the United Kingdom for himself and his family. *No reply was received from you.*

As we are aware that, for security reasons, you have had to destroy papers, we again enclose copies of the papers sent under cover of the above letter.

We now enclose a copy of a further letter from the Colonial Office, dated December 24th, which is self-explanatory. We hope that you will ~~now~~ be able to do something in this matter and at any rate to furnish us with a reply which we can pass to the Colonial Office.

Yours ever,
EASTERN DEPARTMENT.

*D.B.
6/1*

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57

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Tel. : WHI. 2366

Encl. 1

Communications on this subject
should be addressed to—

THE DIRECTOR OF RECRUITMENT,
(Colonial Service),

COLONIAL OFFICE,

SANCTUARY BUILDINGS,

GREAT SMITH STREET, S.W.1

and the following 52412

Number quoted: Appts.

8078/1102/31

28 FEB 1949

COLONIAL OFFICE,

SANCTUARY BUILDINGS,

GREAT SMITH STREET, S.W.1

2nd February, 1949.

Dear Balfour,

INDEXED

Thank you for your letter No.E.8518/1102/31
of the 10th January addressed to Denton-Thompson
regarding Zlotnik.

We, of course, realise the difficulties
you are up against and appreciate the trouble you
are now taking.

Yours sincerely

Arthur Burns

D. BALFOUR, ESQ.

PUBLIC RECORD OFFICE

FO

371

68652

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E

E 8958

5 JUL 1948

Registry Number } E8958/1102/31

TELEGRAM FROM
CAIRO (Sir R Campbell)

No. 958

Dated 1 Jul 48

Received in Registry 5 Jul 48

Payment of salaries and pensions to ex-officials of Palestine Government.

Refers to FO telegram 891 to Cairo (E7466/7/31). Considerable number of ex-Palestine Government non-expatriate officials with their families have found their way into Egypt. They have been told to address enquiries regarding their salaries and pensions to Palestine Accounts Clearance Office, Cyprus. Sir R Campbell would like, for his own information and for passing on to Egyptian Ministry of Foreign Affairs, details regarding the future policy in dealing with ex-Palestine Government officials, and says that much hardship is being caused at present.

Last Paper.

E 8725

References.

(Print.)

(How disposed of.)

8) Palestine last July 6

15) Mr Gutch (CO).

July 6.

(Action completed.)

J. M. 20/7

Next Paper.

(Minutes.)

Copy Mr Gutch. C.O. for dis:

Lt. J. vii

b.v. 8: vii

Mr Gutch has written to Mr Gardener, encl. a draft reply.
b.v. as receipt. See. nos E.9405.

Lt. 10: vii

In P.P. P.A.C.O. 122 12/7.

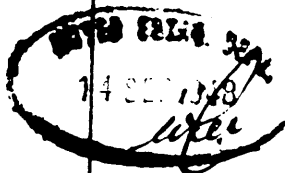
20. I think we can agree to the request in the last para. of the Cyprus Tel. within.

Lawrence 23: vii

20 Dept.

Finance Dept.

So XFO 156(2/45) 7/10/48



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FO 371 / 68652

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E 3058

5 JUL 1948

In Clair

DEPARTMENTAL DISTRIBUTION.

RO. CAIRO NO. 10 HIGH OFFICE.

Sir R. Campbell
No. 958

D. 11.52 a.m. 2nd July 1948
R. 2.52 p.m. 2nd July 1948

1st July 1948.

Repeated to Cyprus.

Addressed to Foreign Office telegram No. 958 of July 1st repeated for information to Cyprus.

Your telegram No. 891 of 3rd June on setting up of Palestine Clearance Office in Cyprus repeated for information to Cyprus.

A considerable number of ex-Palestine non-expatriate officials with their families have found their way to Egypt. Some hold Palestinian passports and some Egyptian, and one or two hold British. Many claim they have received no salary since March and that enquiries addressed to Palestine Clearance Office in Cyprus are unanswered. Some are actual pensioners and state pension payments ceased in April. Egyptian Ministry of Foreign Affairs have already taken up with us several cases holding Egyptian passports. I understand that a very large number (many of whom have no (repeat no) passports and are unidentifiable outside Palestine) have taken refuge in adjacent Arab countries and that most of them are unlikely to return to Palestine until more settled conditions are established.

2. Colonial Office letter of 3rd June (forwarded under cover your No. E.6519/1102/31 of 11th June 1948) instructs that enquiries about payment of these salaries and pensions should be addressed to Clearance Office, Cyprus, and I am asking petitioners to communicate with this office accordingly. But on a matter of policy may I be immediately informed (for my own information and for passing on to Egyptian Ministry of Foreign Affairs) whether it is true that all ex-Palestine officials were paid full salary up to 15th May 1948 and in addition an advance of three months full salary. If so will pensions have been computed and approved and arrangements for payment in Egypt made to enable first pension payment to be made on due date presumably 15th September 1948 and at regular due dates afterwards if not, will monthly advance within likely pension be made with effect from 15th June last and arrangements made for first payment in Egypt before 15th July next and for regular payments on due dates afterwards? What actual arrangements are contemplated for payment locally in Egypt? Will they cover pensions now temporarily as well as permanently resident in Egypt, bearing in mind likely large number of payees and difficulty of identifying them, and if not how will persons temporarily resident in Egypt be paid.

/3. Considerable hardships will

FO 371/68652

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5 JUL 1948

162

Cairo telegram No. 958 to F.O.

2.

5. Considerable hardships will be caused if there is further delay in arranging for due payments to be made locally. I presume that ultimately United Nations or successor states will be responsible for authorising and making these payments and that meanwhile they will make arrangements with Egyptian Government or National Bank of Egypt for payments in Egypt, and that meanwhile His Majesty's Government will make arrangements with National Bank of Egypt in London for payment of monthly pension drafts by Egyptian branches of this Bank.

[Copy sent to Middle East Secretariat].

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INWARD TELEGRAM

TO THE SECRETARY OF STATE FOR THE COLONIES

En Clair

958/1102/31
15 JUL 1948

INDEXED

**FROM PALESTINE ACCOUNTS CLEARANCE OFFICE,
CYPRUS.**

D. 12th July, 1948.
R. 12th " " 12.30 hrs.

PACO No. 122.

Reference Cairo telegram No.958 of 1st July to Foreign Office presumably passed to you. Reference payment to Palestinians in Egypt etc.

Following for Under Secretary. Begins.

Regarding those who did not receive final salary or special advance and those with cheques uncashed I have requested Cairo transmit particulars to this Office since arrangements now possible assist these categories as result of Secretary of State's telegram No.37 of 5th July.

Grateful if Foreign Office could be requested authorise Cairo, Beirut, Damascus advance necessary funds on application by this Office recovering through Crown Agents. Ends.

Copies sent to:-

Foreign Office
" "

- Mr. A.J. Gardener
- Mr. J.G.S. Beith.

REC.

pw 163

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FO 371 / 68652					
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26

E

164

1948

9391

Registry Number E9391/1102/31.

FROM COLONIAL OFFICE
Mr Clark - Mr. Thirkell.

No. 75872/159/39/3/48

Dated 8. 7. 48

Received in Registry 13. 7. 48

Payments of Salaries and Pensions of Palestine Government Staff : pension due to a former District Veterinary Inspector.

Refers Foreign Office letter E7974/1102/31 of 5th. July.

A Palestine Accounts Clearance Office has been opened at Platres, Cyprus, and is engaged in computing retiring benefits of employees of the former Palestine Government. Payments of benefits will be made as soon as possible and as applicable.

Last Paper

E 9030

(Minutes.)

Date:

Leave Certificate 14. 7. 48

References

(Print)

(How disposed of)

Xft) Egyptian Amb.

July. 17

8) Mr Higham (CO)

July. 17

(Action completed)

15/7

(Index)

17/2/49

Next Paper

E 4405

34967

PUBLIC RECORD OFFICE

Reference:-

FO 371 / 68652

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Colonial Office,
Church House,
Great Smith Street,
S.W.1.

My Reference 75872/159/39/3/48.

Your Reference

8th July, 1948.

Dear Thirkell:

Would you please refer to your letter of the 5th July (E 7974/1102/31) enclosing a copy of an enquiry from the Egyptian Embassy about a pension said to be due from the Palestine Government to a former District Veterinary Inspector.

A Palestine Accounts Clearance Office has been opened at Platres, Cyprus, and is at present engaged in computing retiring benefits of employees of the former Palestine Government. Payments of retiring benefits will be made as soon as the work is completed and provided the whereabouts of the persons eligible for such benefits is known. In the case of employees of the former Palestine Government resident in Egypt, arrangements would be made for payment of pensions to them in that country.

It is suggested that the Egyptian Embassy should be informed in the sense of the above and that they should be advised to inform Dr. Khairi that he should communicate with the Palestine Accounts Clearance Office in Cyprus notifying his present address. It will, however, be appreciated that there must be some delay in the computation of retiring benefits of the very large number of employees of the former Palestine Government.

Yours sincerely,

W. W. Clark
(W. W. Clark)

J. THIRKELL, ESQ.,
FOREIGN OFFICE.

Enter.

165

RECEIVED IN C

12 JUL 19

SENT TO DE

9391 JUL 1948

PUBLIC RECORD OFFICE

Reference:-

FO 371 / 68652

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and a SACO²

Mr. HIGHAM
Copy. ~~Abraham~~
C.O.

Lane Rutledge 16-21

NOTHING TO BE WRITTEN IN THIS MARGIN.

440) Wt. 39031/155 100m. 3/48 A.O.S.

That there must
be some delay
in the computation
of retiring benefits
of the very large
no. of employees
of the former
Palestine Govt.

His Majesty's Principal Secretary of State
for Foreign Affairs presents his compliments to
the Egyptian Ambassador and ~~with reference~~ ^{h. The h. to refer} to
His Excellency's note No. 16 7/18-4/2 of the
11th June about the pending one from the former
Government of Palestine to Mr. Ahmed Hani in
respect of his services as Veterinary Inspector.
~~The enclosed is this connection what~~
~~the which embassy about the General Financial~~
~~arrangements which are being made for the payment~~
~~of Egyptian nationals who were in the employ of~~
~~the former Mandatory Government.~~ ^{Mr Bern} has the
^{in reply} honour to inform him that the Palestine Accounts
Clearance Office has been opened at Houtres,
Syria, and is at present engaged in computing
retiring benefits of employees of the former
Palestine Government. Payments of retiring
benefits will be made as soon as the work is
completed and provided the whereabouts of the
persons eligible for such benefits is known. In
the case of employees of the former Palestine
Government resident in Egypt, arrangements could
be made for payment or remittance to them in that
country. *It will however be appreciated*

H.I.P.S. and F.A. would therefore suggest that Mr. James Ward should be advised to communicate direct with the Palestine Accounts Clearance Office at Platras, Cyprus.

~~I give the honor to be, with the
highest consideration,
Your Excellency's obedient servant.~~

JB July 14

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His father's unpaid debts of \$1000 for the 1930 season is opposite to the 1931 tax return of the same season, to enter to his residence's Note No. 12-2 of the 11th June about the pension due from the same by front of the time to Dr. and Mari in equal 1000 twice a weekly inspector.

[illegible]

3. I would like to inform you that the above mentioned information is being provided to you for your information only. It is not intended to be used for any other purpose. Please do not disseminate this information to any other person without the prior written consent of the Director, FBI.

[illegible]

1751 125, 218.

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E

168

1948

9405

FROM COLONIAL OFFICE
(Mr Gutch) to Mr ■ A.J.
Gardener
N^o 5872/159/39/48

Dated 8 Jul 48

Received } 13 Jul 48
in Registry }

Suggested instructions to Middle East posts regarding payment of salaries and pensions to ex-officials of Palestine Government.

Refers to Cairo telegram to FO 958 (E8958/1102/31).

Suggests that the discussions now in progress ~~between~~ between Palestine Accounts Clearance Office and FO representatives in Jerusalem/Haifa should cover the question of payment of pensions, and attaches a draft reply to Cairo telegram, stressing that payment will be subject to eventual recovery from successor authority in Palestine. If draft is approved in principle, requests that a copy be sent to Colonial Office for repetition to P.A.C.O.

Last Paper

E 934.

References

(Print)

(How disposed of)

Kut	Sain	1257
Boyd	ad	803
Reinut		431
Burman		720
K. M. S. S.		676
Robt		645
Recreation		484
18/1/18		100 (S)

8. plates list + batch
E!!
ruly

(Action completed)

(Inde

Next Paper

(Minutes.)

I have spoken to Mr. Butler of the Colonial Office and am sure that the majority of the points raised in Cairo telegram . . . can only be dealt with by the Palestine Accounts Clearance Office in Cyprus. I think therefore that we can agree with a letter within and send out the enclosed telegram.

Lawrence Roll.

Lt. J. L. G. G.

F. I. Department.

just

Yes. I see no objection to the telegram within being despatched.

The question of payment of all
persons in Palestine is also
being discussed on 8 pps - but we are
awaiting the results of the meeting
between Mr Beaumont & Mr Mann & Mr

P. A. C. Office v. Gypsum

W. Penn

17/7

* and repeated to Middle

34987

Sub.

Fast

4. 2:00

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East Mission for information
as suggested by Mr. Gutch

2 awaiting

17/7

See Memo E 8958.

Q. 23: vii

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Colonial Office,
Church House,
Great Smith Street,
S.W. 1.

My Reference 75872/159/39/48.

Your Reference

8th July, 1948. 1948

Dear Gardener:

Would you refer to Cairo telegram to the Foreign Office No. 958 of the 2nd July, of which a copy was sent to me under your reference E.8958/1102/31 of the 6th July, on the subject of ex-Palestine non-expatriate officials stranded in Egypt?

It seems to me that the best thing would be for the discussions now proceeding between the Palestine Accounts Clearance Office and the Foreign Office representatives in Jerusalem/Haifa to cover the question of payment of pensions to these displaced Palestinians now in neighbouring Arab territories. With this in mind, I attach as a basis for consideration the rough draft of a suggested reply to the Cairo telegram.

If you agree that something on these lines would be appropriate, I suggest that it might be repeated to all Middle East posts and I should be glad if a copy could be sent to me, or to our Code and Cypher Section, immediately after despatch for repetition to the Palestine Accounts Clearance Office in Cyprus.

If you would care to discuss the matter I am of course at your service at any time.

Yours sincerely,

John Gutch
(J. Gutch)

A.J. GARDENER, ESQ., C.B.E.

169
E

SENT TO DEPT.

9405

PUBLIC RECORD OFFICE

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Date *1257 20th July*
 Dispatched *1257 20th July*

DRAFT.

TELEGRAM

CAIRO 957
 BAGDAD 803
 BEIRUT 631
 AMMAN 725
 DAMASKUS 516
 JEDDA 645
 JERUSALEM
 HAIFA (Sawing).

Repeat (via C.O.) CYPRUS.

En clair.

Deptal.

Copy. C.O. Mr. Puteh.

JUL 1948

Words in square
 brackets to
 CAIRO only.

Addressed to CAIRO. Tel No: *1257 20th July* and saving to
 BEIRUT, AMMAN, DAMASCUS, JEDDA, JERUSALEM, HAIFA
~~(to be repeated by inf. to Cyprus)~~
 From Foreign Office to Cairo.

Your telegram No. 958. (not repeated) para
 203. Payment of pensions etc. to non
 expatriate officials of the former
 Palestine Government.

Palestine Accounts Clearance Office
 will be in a position to give you direct
 information requested in paragraph
 of your telegram concerning payments
 salary already made and progress of
 pension computations.

2. Arrangements for effecting payment
 of pensions is now under discussion
 between the Palestine Accounts Clearance
 Office and Jerusalem who have been
 requested to formulate proposals for
 consideration here. I assume that these
 discussions will cover question of
 payments to displaced Palestinians now
 in neighbouring Arab countries, and I
 suggest that you contact Jerusalem to
 ensure that ^{your} local difficulties are taken
 into account.

3. ~~Your paragraph 3. Position is~~
 that Subject to eventual recovery from
 /successor ...

PUBLIC RECORD OFFICE

FO 371 / 68652

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successor states, pension payments
to non expatriate officers have been
guaranteed by H.M.G. "until such time
as successor authorities have emerged
which in the opinion of H.M.G. are
capable of taking over the liability".

4. 19.vii

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En Clair

DEPARTMENTAL DISTRIBUTION

FROM FOREIGN OFFICE TO CAIRO

No. 1257

20th July, 1948. D. 9.03 p.m. 20th July, 1948.

And to Bagdad No. 803
Beirut No. 431
Amman No. 725
Damascus No. 516
Jedda No. 645
Jerusalem No. 494
Haifa No. 103 Saving

Repeated to Cyprus Saving

Addressed to Cairo telegram No. 1257 of 20th July,
Bagdad, Beirut, Amman, Damascus, Jedda, Jerusalem, and
Saving to Haifa, repeated for information Saving to Cyprus.

Your telegram No. 958 (not repeated) paragraphs 2 and 3.

Payment of pensions etc. to non expatriate officials of
the former Palestine Government.

Palestine Accounts Clearance Office will be in a
position to give you direct information concerning payments
of salary already made and progress of pension computations.

2. Arrangements for effecting payment of pensions is
now under discussion between the Palestine Accounts
Clearance Office and Jerusalem who have been requested to
formulate proposals for consideration here. I assume that
these discussions will cover question of payments to displaced
Palestinians now in neighbouring Arab countries, and I
suggest that you contact Jerusalem to ensure that your local
difficulties are taken into account.

3. Subject to eventual recovery from successor states,
pension payments to non expatriate officers have been
guaranteed by His Majesty's Government "until such time as
successor authorities have emerged which in the opinion of
His Majesty's Government are capable of taking over the
liability".

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OUTWARD TELEGRAM

FROM THE SECRETARY OF STATE FOR THE COLONIES

75872/159/33/48

En Clair

9405/1102/21

INDEXED

TO PALESTINE ACCOUNTS CLEARANCE OFFICE, CYPRUS.

Sent 25th July, 1948. 13.45 hrs.

PACO No. 61

Your telegram No. 122.

Following is text of Foreign Office telegram to Cairo No. 1257 of 26th July, repeated to other Middle East posts and saying to you: Hagaza.

Your telegram No. 96 (now repeated) paragraphs 2 and 3.

Payment of pensions due to non-expatriate officials of the former Palestine Government.

Palestine Accounts Clearance Office will be in a position to give you direct information on current payments of salary already made and progress of pension negotiations.

2. Arrangements for effecting payment of pensions is now under discussion between the Palestine Accounts Clearance Office and Jerusalem who have been requested to formulate proposals for consideration here. I assume that these discussions will cover question of payment to displaced Palestinians now in neighbouring Arab countries, and I suggest that you contact Jerusalem to ensure that your local difficulties are taken into account.

3. Subject to eventual agreement with successor states, pension payments to non-expatriate officials have been guaranteed by His Majesty's Government until such time as successor authorities have emerged which in the opinion of His Majesty's Government are capable of taking over the liability. This.

4. Reference final paragraph of your telegram No. 122, your telegram No. 122 and paragraph 6 of my telegram No. 122, question of procedure for making funds available to Middle East posts for payment of pensions etc. will have been discussed with you by Hickson and arrangements will be finalised as soon as possible after his return here.

Copies sent to:-

Foreign Office

- Mr. A. S. Liddell

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E

173

1948

8500

7 5 PM 1948

Registry Number E9600/1102/31.

FROM COLONIAL OFFICE
Communicated.

No.

Dated

Received
in Registry 16. 7. 48Payment of compensatory benefits to non-expatriate
officers of the former Palestine Government.Communicates copy of letter from Mr. Gutch, Colonial
Office, to Mr. Russell Edmunds, Treasury, of 14th.
July.Encloses a draft letter to Mr. Stewart, Cyprus, and
requests whether Foreign Office have any comments
to make.

Last Paper

E 9605

References

(Print)

(How disposed of)

(Minutes.)

I have told Mr Gutch that
E. Dept for their part agree
with the course proposed. It
is based on two governing
principles applied impartially
to Arabs & Jews. (2nd para. of draft)

I think E. & O. ~~Dept~~
have some pp. about this
E & O Dept. JB July 19

Our pp are not relevant. We
have been concerned with
establishing the principle
that payments to former officers
of the Palestine Govt & to their
pensioners are a terminal
liability of that Govt. That
we could not undertake
responsibility

(Action
completed)

(Index)

Next Paper

11450

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FO

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responsibility for the provision
of funds on staff to effect
payment.

E. C. Melling

21/7

I have told Mr Gutch we
see no objection

JB July 23

9.11. Russell Edwards Reg. (banned). I.F. 21/147/02

Russell Edwards & J. Gutch. B.O. 26/7

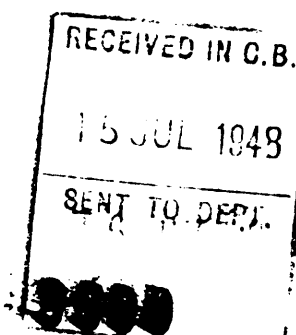
We may expect a final
draft from Mr Gutch

JB July 28

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Colonial Office,
Church House,
Great Smith Street,
S.W. 1.

14th July, 1948.

Dear Russell Edmunds:

I mentioned to you the other day the difficult question of the payment of compensatory benefits to non-expatriate officers of the former Palestine Government. Stewart had mentioned this matter in a personal letter to me and I now enclose a draft letter to him setting out my thoughts on the subject. It may be of course that action on the lines indicated in this letter would cause political repercussions in view of the fact, save in exceptional cases, payments to Arab staff would be effected while payments to Jewish staff would be the exception rather than the rule. I feel, however, that the course of action suggested in the draft letter is the only logical one to adopt in the circumstances which have arisen, and it will presumably be for the Foreign Office representatives on the spot to advise as to whether the political objections at the time of payment are such as to outweigh other considerations.

I shall be very grateful for any comments which you may have on the enclosed draft and I am sending a copy to Beith at the Foreign Office in case they too may have any comments to make at this stage.

Yours sincerely,

(J. Gutch)

W. RUSSELL EDMUNDS, ESQ.

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S.O. LETTER

D.G. STEWART, ESQ.,
PALESTINE ACCOUNTS CLEARANCE
OFFICE.
PLATRES, CYPRUS.

.....

The question which you discuss in your secret and personal letter No. PACO/7 of the 1st July, namely the operation of the restrictive conditions on the payment of compensation benefits to non-expatriate staff is a matter to which I had been giving a lot of thought. All the same the issue is not, I think, really a very difficult one.

The criteria for payment are
(a) that the officer shall not have secured employment with a successor authority on the same terms and with the same rights as under the Government of Palestine, and
(b) that he shall not have refused a definite offer of such employment in circumstances which in the opinion of the Secretary of State do not justify his refusal.

In the case of the Arabs there has been virtually no administration set up in the areas in Arab occupation and hence the supposition is that no

/Arab

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Arab officers have secured or been offered employment by a successor authority. An offer to an Arab of employment by a Jewish authority - (if such a phenomenon were to occur!) - would provide circumstances in which a refusal would be considered justifiable. It seems probable therefore that, unless the Arabs pull themselves together and establish some sort of administrative machinery in the near future, there will be no case for withholding payment of compensation in their case, although a declaration that the officer has not secured re-employment by a successor authority should of course be a pre-requisite to payment.

Turning to the Jews, it seems probable that a large number have already, or will shortly, be absorbed in the Jewish administration. Hence we feel that payment of compensation should be withheld in the case of Jewish officers except where the individual can satisfy the paying authority that he has not secured nor been offered re-employment by a successor authority or can satisfy the Secretary of State that his refusal of such an offer was justified. No doubt the Jewish authorities, where they have re-employed ex-Palestine Government staff, have not given them terms which could be described as corresponding to their previous Palestine Government terms of service. Nevertheless we consider that we should be justified in withholding payment of compensation in these cases pending

/s/ [signature]

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eventual discussion of this and other financial matters with the Jewish successor authority: you will recall, in this connection, that the United Nations Palestine Commission actually offered all Palestine Government staff continued employment under the successor authorities on the same terms as under the Palestine Government and it would be up to the Jewish authorities to explain why they had not fulfilled this expectation. I agree with you that the right to commute the compensatory pension to a cash gratuity should be withheld in the case of all non-expatriate officers: this would be in the interest of the officers themselves since they would only squander a lump sum payment and it would also be within the terms announced, since it cannot yet be said that they are not likely to secure employment by a successor authority even though this may not occur, in the case of the Arabs, for some considerable time.

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With Colonel Russell Edmunds' compliments

75872/159/39

IF.21/147/02

TREASURY CHAMBERS,
S.W. 1.

INDEXED

9600/1102/31

26th July, 1948

Dear Gutch,

The draft letter to Stewart which you enclosed with your letter to me of the 14th July, follows the course which I suggested might be appropriate when we discussed the matter.

The third paragraph of your draft commencing with the words "In the case of the Arabs....", I think this might be redrafted to cover the employment by local authorities of certain Arab officers. I think it would be also helpful to let Stewart know of the factual position at Jaffa, where, according to the papers you kindly sent me dealing with press statements of the Israeli administration, some 50 Arabs were employed on port duties. I suggest this particular paragraph might be redrafted on the following lines:-

"In the case of the Arabs there has been virtually no central administration set up in the areas in Arab occupation. On the other hand, before the termination of the Mandate certain governmental services devolved on local authorities who were aided by special arrangements relating to the collection by local authorities of Urban Property Tax as from the 1st April. In addition, certain grants were made to local authorities for the continuance of specified services. Both these measures may well have resulted in the employment of some Arab officers. On balance, however, the supposition is that Arab officers in the main have not secured or been offered employment by a successor authority. It seems probable, therefore, that, unless the Arabs pull themselves together and

J. Gutch, Esq., O.B.E.,
Colonial Office,
The Church House,
Great Smith Street, S.W.1.

/establish

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establish some sort of administrative machinery in the near future, there will be little case for withholding payment of compensation in their case, although a declaration that the officer has not secured re-employment by a successor authority including local authorities, should of course, be a pre-requisite to payment. It was agreed that an offer to an Arab of employment by a Jewish authority would provide circumstances in which a refusal would be considered justifiable. We were surprised, however, to learn from a press statement made by the Israeli administration on the working of its Ministries that some 50 Arabs had been employed on port duties at Jaffa on the same terms as Jews, the report further gave a categorical assurance that Arab and Jew would enjoy the same terms under the Israeli administration."

With the exception of the above redraft of the third paragraph, I have no further comments to make. On the assumption that the Foreign Office have no points to make on political grounds, I think your S.O. letter might issue, as amended.

I am sending Beith a copy of this letter.

Yours sincerely,

W. Russell Edmunds

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E

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1948

11213

Registry Number E11213/1102/31

FROM Jerusalem Consulate General to E Dept
No. A/88(45Q)Dated 21st August
Received in Registry 26thPensions for former employees of Jerusalem Municipality.Refers to E 8450/1102/31.
Arabs cannot pay out as they did not receive their share of the Municipal Funds. Does not think times are sufficiently stable to approach the two Municipalities on this joint question.

Last Paper

E 10806

References

E 10806
E 9067/7/31

(Print)

(How disposed of)

8 W. futch, C.O.
(ref) Aug 30

(Action completed)

23018

(Index)

14/4/49

Next Paper

E 11848

(Minutes.)

Copy Mr. Gutch. C.O. ref:

LT. 26: viii

1) W. futch, C.O. (Cand) 75208/16/48
1/9

LT. 6: ix.

A letter from the Colonial office 16570/6/1 dated 23rd June on K.3754 stated that the position of former employees of municipalities in Palestine would form part of the brief being prepared by them for the guidance of H.M. Rep. Tel Aviv in his negotiations with Israeli Govt.

H. B. Harvey
(A. B. HARVEY)J. B. Harvey
14/4/49

94987

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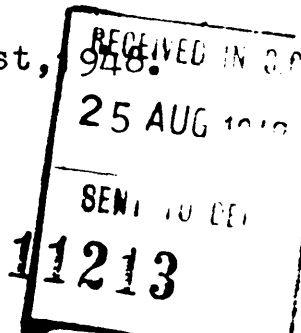
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A/88(450).

British Consulate-General,
Jerusalem.

21st. August, 1948.



Dear Department,

Your letter No. 450/1102/31 of the 5th. July and telegram No. 668, regarding four British servants of the former Jerusalem Municipality.

The Colonial Office are no doubt aware that shortly before the end of the Mandate the Palestine Government authorised a division of Jerusalem Municipal funds between the Jewish and Arab communities, both of whom have now set up separate Municipal committees in the areas over which their respective Military Governors have jurisdiction. Whereas the Jewish Municipal Committee was able to cash the cheque written in its favour, the Arab Municipal Committee was prevented from so doing by the sudden closing of Barclay's Bank and the loss of its cheque when the Old Municipal Offices were taken over by Jewish forces on the 14th. May. Although we have represented these circumstances to the Colonial Office (our letter No. 231 addressed to the Foreign Office on the 5th. July refers) on behalf of the Arab Municipal Committee, the latter is still without funds and has been unable to pay the salaries of its few remaining employees since the termination of the Mandate.

Apart from these considerations, it would not be practicable in present circumstances to make any joint approach to the two Municipal Committees. There is no liaison between them, nor is there likely to be for some time to come. In the absence of any co-ordinating authority over Municipal affairs in Jerusalem, we suggest that the payments be advanced by His Majesty's Government as proposed in the final paragraph of Colonial Office letter No. 75258/16/48 of the 18th. June, and that steps be taken to adjust the matter when the direction of Jerusalem's Municipal affairs has been placed on a more stable footing.

Yours ever,

4
Jerusalem Consulate-General.

Eastern Department,
Foreign Office,
London.

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11213/1102/31

75258/16/48. 3 SEP 1958

Colonial Office,
Church House,
Great Smith Street,
S.W.1.

1st September, 1948.

Dear Russell Edmunds:

Would you refer to your letter of the 11th August (I.F.21/018) about the position of British officers employed by the Municipalities in Palestine on our withdrawal from that country. As Clark informed you in his letter of the 11th August, we asked the Foreign Office to telegraph to their Consulate General in Jerusalem suggesting an approach to the Jerusalem Municipal authorities if they should consider such action desirable at this stage, and asking them to let us have their views on the question.

I now enclose a copy of their reply from which you will see that they do not consider it practicable to make any such approach to the existing Municipal Committees in Jerusalem in present circumstances, and in the absence of any co-ordinating authority over Municipal affairs in Jerusalem they suggest that we should go ahead and advance the pensions due to the officers concerned as proposed by us. In the circumstances we have now written to the officers concerned and informed them that it has been decided that until such time as it may be possible for the question of their contractual position vis a vis the Municipality to be finally determined they will, as a temporary measure, be regarded as having retired from their appointments on abolition of office at the end of their current leave and will be paid the retirement benefits

W. RUSSELL EDMUNDS, ESC.

/for ...

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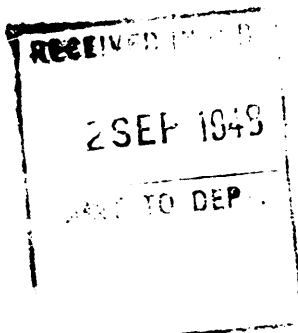
- 2 -

for which they are eligible in such circumstances under the Jerusalem (Municipal Pensions) Regulations, 1938. We have added in our letters to these officers that the question of their position and the reimbursement of the cost of the benefits paid to them would be taken up with the appropriate municipal or other successor authorities as soon as it is feasible to do so.

I am sending a copy of this letter to Beith at the Foreign Office.

Yours sincerely,

J.
(J. Gutch)



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<div style="font-size: 2em; font-weight: bold;">33</div>	<div style="font-size: 4em; font-weight: bold;">E</div>	<div style="font-size: 1.5em; font-weight: bold;">181</div> <div style="font-size: 1.2em; font-weight: bold;">11848</div>
<div style="font-weight: bold; letter-spacing: 0.5em;">PALESTINE</div>		
<p><i>Registry E</i> 11848/1102/31 <i>Number</i></p> <p>FROM Mr. Gutch, C.O. to Mr. Thirkell.</p> <p>No. 21183/6/2/3/48.</p> <p><i>Dated</i> 8th <i>Received</i> 11th <i>in Registry</i> Sept.</p>	<p><u>Ex Palestine Govt: Officers' pensions. Petition from those resident in Transjordan, and C.O. draft reply.</u></p> <p>Encloses petition forwarded by Mr. Pirie-Gordon, Amman and the reply which the C.O. would like sent.</p>	
<p>Last Paper</p> <p style="font-size: 1.2em;">E 11213</p>	<p><i>draft.</i> (Minutes.) as 21/9</p>	
<p>References</p>		
<p>(Print)</p>		
<p>(How disposed of)</p> <p><i>24/11 Chy Amman from M.E. 23 Sept</i></p>		
<div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> <p>(Action completed)</p> <p><i>C 23/9</i></p> </div> <div style="text-align: center;"> <p>(Index)</p> <p><i>14/2/49</i></p> </div> </div>		
<p>Next Paper</p> <p style="font-size: 1.2em;">E 11922</p>		

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21843

Euler 182
EColonial Office,
Sanctuary Buildings,
Great Smith Street,
S.W.1.

My Reference 21183/6/2/3/46.

Your Reference

8 September, 1946.

Dear Thirkell:

I enclose herewith a copy of a letter which has been received here from Pirie-Gordon of the British Legation, Amman, forwarding a petition from certain ex Palestine Government officers living in Transjordan. If you see no objection, we should be grateful if you would arrange for the following reply to be transmitted to them.

(a) In paragraphs 5 - 7 of their petition they refer to the question of the offer of continued employment made by the United Nations Palestine Commission to all serving officers of the then Palestine Government. Since the Commission itself never actually took up its functions in Palestine as a successor authority, there can be no question of the offer to which they refer precluding the payment to them of compensation benefits in respect of their service with the Palestine Government.

(b) It is regretted, however, that it is not possible to grant their request for the waiver of the conditions that payment of the special compensation benefits, as distinct from statutory abolition benefits, should not be payable in cases: (i) where the officer has in fact been re-employed by a successor authority, or (ii) has unreasonably refused an offer of such re-employment.

(c) As regards the disturbance grant referred to in paragraph 13 of their petition, subject to the conditions stated under (b), the disturbance grant will be payable to

L.G. THIRKELL, Esq.

/non-expatriate ...

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(d) With reference to paragraph 14 of their petition, cost of living increases to Palestine Government pensioners living in the Middle East will continue to be paid except in cases where officers benefited, prior to their retirement, from the revision of their salaries by the absorption in their pensionable emoluments of a proportion of the cost of living allowance.

John Gutch
(J. Gutch)

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(G/7138/48)

BRITISH LEGATION,
AMMAN.

20th July, 1948.

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Dear Dryburgh,

I enclose a self-explanatory letter addressed through this Legation to Colonial Office by the Committee representing the former Government of Palestine officials who are residing at present in Transjordan and should be grateful if you would pass it to the appropriate channels with your recommendations,. I regret the inconvenience I am causing you.

In this connection have you any news when Sir Alec and myself are likely to receive the retrospective benefits of the Mills Regrading in respect of the period 1st April, 1946 to 16th June, 1946, our S/646/45 of 10th May, 1948, refers.

Yours sincerely,

(sgd.) C.H. Pirie-Gordon.

A.M. Dryburgh, Esq.,
The Colonial Office,
London, S.W.1.

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THE COMMISSIONER OF THE EX-PALESTINE
GOVERNMENT OFFICERS IN AMMAN,
P.O. Box 364
AMMAN, TRANSJORDAN.

15th July 1948

HIS BRITANNIC MAJESTY'S PRINCIPAL
SECRETARY OF STATE FOR THE COLONIES,
LONDON S.W.
THROUGH
HIS BRITANNIC MAJESTY'S MINISTER,
AMMAN

Sir,

On behalf of the ex-Palestine Government Officers residing at present in Transjordan, we beg to leave to you the following matters for your kind consideration.

2. The Civil Service Commissioner, hereinafter referred to as the Commissioner, in paragraph 7 of his Staff Circular No.2/48 of the 28th February last stated the following:-

"7. An officer qualifying for pension will be granted -
(a) A pension under the existing law at the rate of one six-hundredths, one seven hundredths-and-twentieth, or one nine hundredths-and-sixtieth part (for expatriate officers, non-expatriate officers, and officers of the Sharia Courts, respectively) of his retiring pensionable emoluments for every completed month of pensionable service, plus -

(b) A Compensatory Pension calculated in accordance with the table at Appendix II which shows the number of six-hundredths, seven hundred-and-twentieths or nine hundred-and-sixtieth (as the case may be) of the officers' retiring pensionable emoluments that can be added to his earned pension under (a) above.

3. The Compensatory Pension, under paragraph 7 of the Commissioner's Staff Circular No.2/48 referred to above, is in lieu of the additional statutory pension under the provisions of Pensions Rule 10.

4. The Commissioner in paragraph 1 of his Staff Circular No.3/48 of the 1st March, last, stated that, expatriate officers who subsequently secure permanent employment in public or semi-public service or in a socialized industry, will be required to forfeit the compensatory benefits payable under paragraphs 7(b), 8(a) and 9 of Staff Circular No.2/48. Such officers will, however, be entitled to the additional pension under Pensions Rule 10. In paragraph 3 of Staff Circular No.3/48, the Commissioner stated that non-expatriate officers who are re-employed by a successor authority on the same terms and with the same rights as under the Mandatory Government will also be required to relinquish compensatory benefits, and will be eligible to take in lieu the appropriate benefits under Pensions Rule 10. They will not be eligible to receive or to retain the disturbance grant. It was left to the High Commissioner to decide as to whether or not there is good cause for the refusal of the offer by the non-expatriate officer.

5. In accordance with His Majesty's Secretary's Circular No.3 (380/1/48) of the 2nd of March last, the Government Officers were notified that the United Nations' Palestine Commission, (in its capacity as responsible for the administration following the termination of the Mandate), offered all Government Officers employment on the same terms and with the same rights as those employed under the Mandatory Government.

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6. For obvious reasons the Palestine Arab Officers declined this offer, and it was left to His Excellency The High Commissioner to decide as to whether or not there was good cause for the refusal. We understand that His Excellency has not, so far, come to any decision. In the circumstances we wish to take up this matter and attempt to show the good cause of our refusal. The United Nations' Palestine Commission's duties were to administer the country on behalf of the United Nations in furtherance of the decision for action taken by the General Assembly. Partition of the country is detrimental to our national aspirations. His Britannic Majesty's Govt. unconditionally indicated its intention not to cooperate in carrying out that decision. If that was His Britannic Majesty's Govts' policy, we submit that each and every Arab Officer had a good cause to refuse such an offer.

7. Further the United Nations' Palestine Commission has been withdrawn and the country was left without a successor authority. It is difficult, if not impossible, to forecast when a successor authority will be established.

8. We appreciate the fact that we are to be paid in the near future, we hope, our statutory retiring benefits. You have no doubt a clear picture of the financial position of some three hundred thousand Arabs, including Govt. officers, who were forced to evacuate their homes and seek shelter in Arab neighbouring countries. We have lost our homes, furniture, clothing and belongings and are bound to start de novo. Our emoluments, in view of the prevailing cost of living, were inadequate and the Palestine Govt. paid High Cost of Living Allowances and increased the basic pay of officers in all grades. If the emoluments were inadequate the pensionable statutory benefits are bound to be worse. The Compensatory pension works out to the advantage of most officers. For these reasons we pray that Arab Officers be allowed to opt for the Compensatory Pension in lieu of the additional pension under Pensions Rule 10.

9. We also wish to take this opportunity of addressing you on the subject of the payment of the disturbance grant referred to in paragraph 11 of the Commissioner's Staff Circular No.2/48.

10. In accordance with declarations made by responsible officers both of His Britannic Majesty's and the Palestine Govts, The Palestine Administration was responsible up to the 15th of May last for peace and order in Palestine. But prior to that date Jewish well armed men in great numbers attacked and occupied many towns and villages. Government Officers, as law abiding citizens, were unarmed and could not defend themselves. The majority of them were forced to evacuate their homes seeking shelter in remote villages and Arab neighbouring countries. We wish to stress the word "forced", as they had in mind the King David tragedy and the numerous other tragedies committed by some of the Jewish uncivilised armed groups, such as girls and married women had been wildly attacked and murder in cold blood of unarmed old men, women and children. It will suffice to refer to the acts committed in Deir Yasin, Tiberias, Haifa, Jaffa, Acre and other places. Most of the furniture, foodstuffs and other valuables have been robbed by the occupying men. The overwhelming majority of the officers have lost all their furniture and even clothing. Some of their homes have also been blown up.

11. We also wish to point out that the Staff of the Accountant General, engaged on the preparation of the payment of the retiring benefits, moved, during the continuation of the Mandate to Cyprus so that the conditions in the country should not hinder the work entrusted to them.

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12. The Deputy Civil Service Commissioner, in one of his broadcasts, stated that the "disturbance grant" was being paid only to expatriate officers as such officers had to give up their homes in Palestine and seek new ones elsewhere. While appreciating the equity in the payment of such a grant to expatriate officers, we wish to point out that most, if not all, of the expatriate officers had sold their furniture and were, to some extent, compensated for it. On the other hand, the Arab officers evacuated their homes in such a hurry and, in most cases, took away nothing whatsoever.

13. In the circumstances, we submit, that the Arab Government Officers had been disturbed and incurred great losses which justify the payment to them of the disturbance grant referred to in paragraph 11 of the Civil Service Commissioner's Circular No.2/48 of the 28th February, 1948.

14. We have to trouble you with one further matter namely payment of Cost of Living Allowances on the amount of pension due to each of the officers. Officers in receipt of pensions prior to the termination of the Mandate were in receipt of such allowances over and above the pension they are entitled to. The reasons that led Govt. to pay such allowances still hold good in our case.

15. For these reasons we pray that our present representations be considered and granted.

We have the honour to be,

Sir,

Your obedient servants,

(Sgd) (M.H.JARRAH)
SECRETARY

(SGD.) (N. RIFAI)
CHAIRMAN

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NOTHING TO BE WRITTEN IN THIS MARGIN.

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A. & E. W. Ltd. Gp. 685

Registry
No. E 11848/1102/31

Top Secret.
Secret.
Confidential.
Restricted.
Open. ☒

Draft.

to
Chancery,
American
from
17.E.S.

Mr. Gutch's letter
within n/y.

22/9
23/9

OUT FILE 25 Sept 27/10

Dear Chancery,

With reference to Mr. Pinc 188

Gutla's letter No. 9/7138/48
of July 20th to Mr. Duglough
at the (Amal) Office with
which he enclosed a letter
from a Committee of former
Palestinian Government Ministers
who residing in Transjordan,
we enclose herewith a copy
of a letter from the (Amal)
Office which suggests the
likes of the action which
ought be made to the
Committee.

Yours ever,
17.E. Secretariat.

ew 21/9

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OUT FILE 189

FOREIGN OFFICE, S.W.1.

23rd September, 1948.

(E 11848/1102/31)

RESTRICTED.

Dear Chancery,

With reference to Mr. Pirie-Gordon's letter No.G/7138/48 of 20th July to Mr. Dryburgh at the Colonial Office, with which he enclosed a letter from a Committee of former Palestinian Government officials now residing in Transjordan, we enclose herewith a copy of a letter from the Colonial Office which suggests the lines of the answer which might be made to the Committee.

Yours ever,
MIDDLE EAST SECRETARIAT.

The Chancery,
British Legation,
Amman.

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<div style="font-size: 2em; font-weight: bold;">34</div> <div style="font-size: 2em; font-weight: bold; margin-top: 20px;">E</div> <div style="border: 1px solid black; padding: 5px; display: inline-block; margin-top: 10px;">E 11922</div> <div style="margin-top: 10px;">1948</div>	<div style="font-size: 2em; font-weight: bold;">190</div>
<p>Registry Number E 11922/1102/31</p> <p>FROM Beirut Chancery to E Dept.</p> <p>No. 96/76/48.</p> <p>Dated 31st August</p> <p>Received in Registry 14th Sept.</p>	<p><u>Claim from L.J. Fuleihan for pay due from Customs Dept, Palestine.</u></p> <p>Forwards the claim for the C.O. Claimant says that he has had to flee Palestine as he refused entry of military tanks disguised as tractors when acting as Customs Official, and the Jews are after him.</p>
<p>Last Paper</p> <p>E 11848</p> <p>References</p> <p>(Print)</p> <p>(How disposed of)</p> <p>8) (For n. action) CO. Sept 22</p>	<p style="text-align: right;">(Minutes.)</p> <p>Copy C.O. for necessary action & resubmit. LT. 21:11x.</p> <p>Para. 5. within. This looks on the face of it unlikely, but it is not possible. The Jews have a number of SHERMAN tanks wh. they have used in the Palestine fighting: & I have asked Mr. CLARKS of the C.O. to see if he can find out anything more from the late Superintendent of Customs, who is now over here.</p> <p style="text-align: right;">Lance Rutell. 27:11x.</p> <p style="text-align: right;">B Sept. 27</p> <p style="text-align: right;">b.u. 17:11x.</p>
<p>(Action completed)</p> <p>CS 26/x</p> <p>(Index)</p> <p>12036</p>	

PUBLIC RECORD OFFICE	Reference:-
<div style="font-size: 2em; font-weight: bold;">FO</div> <div style="font-size: 1.5em; font-weight: bold;">371 / 68652</div>	<div style="font-size: 1.2em; font-weight: bold;">COPYRIGHT PHOTOGRAPH - NOT TO BE REPRODUCED PHOTOGRAPHICALLY WITHOUT PERMISSION OF THE PUBLIC RECORD OFFICE, LONDON</div>

XF 191

August 31st, 1948.

96/76/48.

11-22



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192

Labib John Fuleihan,
c/o Mr. H.R. Nassar,
S.S.M.T.'s Office,
Iraq Petroleum Company Ltd.,
Beirut - Lebanon.

15th July, 1948.

The Right Honourable,
His Majesty's Principal Secretary of
State for the Colonies,
London, England.

Sir,

(. I most respectfully beg to submit the following
for favour of your kind and sympathetic consideration.

1. I have joined the Palestine Department of Customs
on the 1st January, 1928 and remained in service up to the
15th May, 1948, date of termination of the British Mandate over
Palestine. Some time in March, 1948, I have asked the Civil Service
Commissioner to send me a Clearance Certificate from the
High Commissioner and I have mentioned the reasons why I do not
find it possible to continue in the service of a Successor State.
I have had a reply that my application was referred to your good
self and it was you who would be the final authority on this
matter.

2. Developments since the writing of my application
for a Clearance Certificate make it more difficult for me
to return to Palestine as I am apt to forfeit my life if I return
to Haifa.

3. During the attack of the Jews on Haifa on the
22nd April, 1948, I was robbed by them of my Palestinian Passport
and all other identification papers I had in my possession. I was
also imprisoned by the Jews for forty-eight hours and it was only
after strenuous efforts by my friends British, Jewish and Arab that

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- 2 -

I was released at last. But as soon as I was released, the Haganah wanted to re-arrest me and as I had to flee for my life, I was forced to run away to the Lebanon with the approval and authority of the Acting Director of Customs. The reason why the Jews wanted to recapture me was the following which they knew only after my release:-

5. Some time in February 1948, a consignment of fifty tanks (Ex - U.S.A. Army Equipment) was consigned to the Jews in Haifa and manifested and invoiced as "Tractors". Direct Delivery was allowed by the Collector of Customs Haifa contrary to the Customs Regulations prohibiting "Direct Delivery" in respect of cased goods. When thirteen tanks were withdrawn from the Port Area, my attention was drawn to this contravention and to the fact that the tractors were tanks imported as tractors. Thereupon I had to take action and I was therefore the cause of stopping the delivery of the remaining thirty seven tanks and returning them to country of origin. This explains the reason why the Jews were very hot on my trail.

Having lost my Palestinian Passport and all other identification papers, and as my parents were originally Lebanese and as I could not go round without identification papers, I had no alternative but to regain my Lebanese Nationality. This fact and the fact that the Haganah and other Jewish terrorists have sentenced me to death "in absentia", make it impossible for me to return to Palestine most particularly that the British and late Palestine Governments, despite their might and power, could not put a stop to Jewish terrorism and it is hardly expected that I can ever escape their wrath if I ever return to Palestine. Regardless of the reasons I have relayed in my application for a Clearance Certificate, the one I have just mentioned warrants granting me the Clearance Certificate I am making an application for.

Therefore, I shall be grateful if you would kindly instruct the Officer i/c, Clearance Palestine Accounts, Cyprus, to pay me all the Compensatory benefits due to me, such as gratuity and reduced pension, compensatory pension (redeemed in cash) and disturbance compensation. This is the least a man, who has served the British Mandate loyally and faithfully for twenty years and who has lost everything he has inherited and accumulated all his life which loss is no doubt due to the termination of the Mandate and to the man's sticking to his duty to the last minute, can expect or should expect.

./3

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Furthermore, being now a Lebanese National and intending to send next fall my eldest son to Edinburg University to study medecine, I shall be grateful if you would kindly instruct those concerned to remit to me my compensatory benefits by cheque in Sterling on London, c/o above address, similar to the Expatriate Officers who will be receiving theirs in Sterling.

Trusting that I shall be receiving your favourable reply at an early date,

I have the honour to be,

Sir,

Your obedient servant,

Sgd. Labib John Fuleihan

Retired Officer of Palestine Customs.

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96/76/48
195

British Legation,

BEIRUT.

96/76/48.

August 31st, 1948.

Dear Department,

We enclose herewith a copy of a letter from Mr. Labib John Fuleihan to His Majesty's Principal Secretary of State for the Colonies which he has asked us to forward on his behalf in case his original letter, which was sent by post, has been delayed or lost owing to local censorship regulations.

Before passing the letter on to the Colonial Office, you might like to glance at the first paragraph on page 2 of the letter which has been side-lined in pencil.

Yours ever,

Chancery.

Eastern Department,
FOREIGN OFFICE,
London, S.W. 1.

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28 AUG 1948

96/72/48

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Labib John Fuleihan
c/o Mr. H.R. Nassar,
S.S.M.T. Office,
Iraq Petroleum Company,
Beirut, Lebanon.

27th Aug., 1948.

H.A.P.P.
H.C. } See marked passage on page 2 of
the enclosure.

Letter to
Eastern Dept.
8/11/48
The Honourable,
His Britannic Majesty's Minister to
The Lebanese Republic,
British Legation,
Beirut.

Sir,

I have the honour to reproduce hereunder text of cable I have sent to-day to the Right Honourable, His Majesty's Principal Secretary of State for the Colonies and beg to forward herewith two copies of my letter dated the 15th July, 1948, referred to therein and shall be most grateful if you would kindly despatch it to London as the original might have not reached its destination:-

"NLT COLONIAL SECRETARY COLONIAL OFFICE LONDON

REFERENCE MY LETTER 15TH JULY RE CLEARANCE CERTIFICATE
STOP KINDLY EXPEDITE STOP SENDING YOU COPY THROUGH
LEGATION BEIRUT"

I have the honour to remain,
Sir,
Yours respectfully,

Labib J. Fuleihan
LABIB J. FULEIHAN.

PUBLIC RECORD OFFICE

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35	E	197
		12036

Registry Number E 12036/1102/31 FROM Washington Chancery to E Dept. No. (1955/-/48) Dated 10th Received in Registry 18th Sept.	<u>Claim of Mr. S. Nashif, ex former Govt. employee in Palestine, now in U.S.A.</u> Requests claim be sent to right quarter.
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Last Paper	E 11922
References	Cy. C.O. What reply a b.u. 20:x. 1) C.O. (Cand) 75872/159/39/9 7 11/x 2) C.O. (Cand) 16578/1/3/48 26/11. Written reminder to C.O. a b.u. 2:xii

(Print)	2. Written reminder C.O. a b.u.
(How disposed of)	1) C.O. (16578/1/3/48) 7/12 2) C.O. 18:xi. 3) C.O. 18:xi. 4) C.O. 18:xi. 5) C.O. 18:xi. 6) C.O. 18:xi. 7) C.O. 18:xi. 8) C.O. 18:xi. 9) C.O. 18:xi. 10) C.O. 18:xi. 11) C.O. 18:xi. 12) C.O. 18:xi. 13) C.O. 18:xi. 14) C.O. 18:xi. 15) C.O. 18:xi. 16) C.O. 18:xi. 17) C.O. 18:xi. 18) C.O. 18:xi. 19) C.O. 18:xi. 20) C.O. 18:xi. 21) C.O. 18:xi. 22) C.O. 18:xi. 23) C.O. 18:xi. 24) C.O. 18:xi. 25) C.O. 18:xi. 26) C.O. 18:xi. 27) C.O. 18:xi. 28) C.O. 18:xi. 29) C.O. 18:xi. 30) C.O. 18:xi. 31) C.O. 18:xi. 32) C.O. 18:xi. 33) C.O. 18:xi. 34) C.O. 18:xi. 35) C.O. 18:xi. 36) C.O. 18:xi. 37) C.O. 18:xi. 38) C.O. 18:xi. 39) C.O. 18:xi. 40) C.O. 18:xi. 41) C.O. 18:xi. 42) C.O. 18:xi. 43) C.O. 18:xi. 44) C.O. 18:xi. 45) C.O. 18:xi. 46) C.O. 18:xi. 47) C.O. 18:xi. 48) C.O. 18:xi. 49) C.O. 18:xi. 50) C.O. 18:xi. 51) C.O. 18:xi. 52) C.O. 18:xi. 53) C.O. 18:xi. 54) C.O. 18:xi. 55) C.O. 18:xi. 56) C.O. 18:xi. 57) C.O. 18:xi. 58) C.O. 18:xi. 59) C.O. 18:xi. 60) C.O. 18:xi. 61) C.O. 18:xi. 62) C.O. 18:xi. 63) C.O. 18:xi. 64) C.O. 18:xi. 65) C.O. 18:xi. 66) C.O. 18:xi. 67) C.O. 18:xi. 68) C.O. 18:xi. 69) C.O. 18:xi. 70) C.O. 18:xi. 71) C.O. 18:xi. 72) C.O. 18:xi. 73) C.O. 18:xi. 74) C.O. 18:xi. 75) C.O. 18:xi. 76) C.O. 18:xi. 77) C.O. 18:xi. 78) C.O. 18:xi. 79) C.O. 18:xi. 80) C.O. 18:xi. 81) C.O. 18:xi. 82) C.O. 18:xi. 83) C.O. 18:xi. 84) C.O. 18:xi. 85) C.O. 18:xi. 86) C.O. 18:xi. 87) C.O. 18:xi. 88) C.O. 18:xi. 89) C.O. 18:xi. 90) C.O. 18:xi. 91) C.O. 18:xi. 92) C.O. 18:xi. 93) C.O. 18:xi. 94) C.O. 18:xi. 95) C.O. 18:xi. 96) C.O. 18:xi. 97) C.O. 18:xi. 98) C.O. 18:xi. 99) C.O. 18:xi. 100) C.O. 18:xi.

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Next Paper	E 12578
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BRITISH EMBASSY.

WASHINGTON 8. D. C.

September 10, 1948.

1955/ - /48

12036

Dear Department,

We enclose herein a copy of a self-explanatory letter which we have received from a Palestinian student in this country who states that he was formerly employed by the Palestine Administration. We also enclose the certified documents to which he refers in his letter.

2. We should be grateful if you would look into the matter and let us know what reply we should return to the writer.

Yours ever,

CHANCERY.

Eastern Department,
Foreign Office,
London, S.W.1.

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COPY

Selim A. Nashif
Box 321, Friley Hall,
Ames, Iowa.

4th September, 1948.

The British Ambassador to the United States of America,

Subject: Compensation by the former Government of
Palestine to ex-employees.

Your Excellency,

I have the honour to inform you that I am a Palestinian student in Iowa State College, Ames, Iowa. I have been employed by the Government of Palestine in the Department of Agriculture and Fisheries from September 1st, 1935, to August 31st, 1944, and then I have been seconded to the Department of Education. As a result of my desire to specialize in dairying, I was granted a study leave for two years in this country on my own expense, as per the attached certified copy of the Director's of Education letter. The last appointment I held was the post of Farm Superintendent, Kadoorie Agricultural School, Tulkarm. My basic salary, exclusive of the high cost of living allowance, was LP 17.833 per month. Now I am divorced and have four children who live with their mother and are maintained by me. I left Palestine on Jan. 30, 1947.

Before the termination of the mandate, on May 15th, 1948, the Government of Palestine published an elaborate scheme of compensation for government employees. Recently, I have come to know that the representative of the British Government in Palestine has announced that all the ex-employees of the former Government of Palestine should send their claims to the nearest representative of His Majesty's Government.

Being outside Palestine I felt to address this letter to your excellency requesting that it be forwarded to the

Secretary/

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Secretary of State for Foreign Affairs in London for transmission to the authorities concerned.

Due to the fact that I shall obtain a bachelor of science degree in December, 1948, and would very much like to continue my studies towards a master of science degree, I shall be very grateful if any compensation that I am entitled to, for the period beginning Sept. 1, 1935, to May 15, 1948, be paid to me in dollars through the Treasurer, Iowa State College, Ames, Iowa, please.

Yours Respectfully,

"S. Nashif"

- Enclosures: 1 - Certified copy of the letter sent by the Director of Education approving my study leave.
- 2.- Recommendation by the Head of Department of Dairy Industry, Iowa State College.

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IOWA STATE COLLEGE
OF AGRICULTURE AND MECHANIC ARTS
AMES, IOWA

DEPARTMENT OF DAIRY INDUSTRY

Sept. 4, 1948

To The British Embassy
Washington, D. C.

Gentlemen:

Mr. Selim Nashif of Tulkarm, Palestine has been a student in our department for the past year, transferring here from the University of California, and because of his outstanding ability we believe it would be a benefit to Mr. Nashif, as well as to his country, if he were permitted to continue his work here toward a Master of Science degree. We are therefore recommending that Mr. Nashif be permitted to continue his work in the line of Dairy Bacteriology.

We further wish to recommend that Mr. Nashif be given dollars on exchange since he needs this in order to be able to continue his work here.

Sincerely yours,



C. A. Iverson
Head of Department

CAI:DK

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IOWA STATE COLLEGE
OF AGRICULTURE AND MECHANIC ARTS
AMES, IOWA

DEPARTMENT OF DAIRY INDUSTRY

29 January 1947.

7371/51

Principal
Kadoorie Agricultural School,
Tulkarm.

Subject :- Study leave - Salim Eff. Nashif

Reference:- Your letter No. PS/56-519
dated 31st December, 1946.

The Chief Secretary has approved the grant to
Salim Eff. Nashif of two years study leave without pay to
be spent at the University of California to enable him to
specialize in dairying.

Please inform Salim Eff. accordingly and let me
know the date of his departure from Palestine.

DIRECTOR OF EDUCATION

Copy to:- Director of Agriculture and Fisheries.

I certify this is an exact copy of a letter in possession of Mr. Nashif
and which has been examined by me.

[Signature]
Head, Dept. Dairy Industry

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2031

Office in Charge, Palestine

9 October, 1948.

125

MR. SELIM NASHIF.

Retiring benefits.

I enclose for the necessary action, a copy of correspondence from the British Embassy, Washington, relating to payment of retiring benefits to the above.

SECRET

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Registry
No. 5.12036/1102/51.

Top Secret.
Secret.
Confidential.
Restricted.
Open.

LGT.

Draft.

Chancery,
Washington.

(from Eastern
Department).

NOTHING TO BE WRITTEN IN THIS MARGIN.

FOREIGN OFFICE,
S.W.1.

20 October, 1948.

Dear Chancery,

Your letter 1955/-/48 of 10th
September about the case of Mr. Selim
Mashif, a Palestinian student, has been
referred by us to the Colonial Office and
forwarded by them to the Palestine Accounts
Clearance Office in Cyprus.

2. We shall let you know as soon as we
have a copy of their reply.

Yours ever,
EASTERN DEPARTMENT.

4. 18.x.

(84.615) Wt. 34.382/158 50,000 12/43 A & E W. Ltd. Gp. 688
(857/81) Wt. 13.462/159 150,000 9/48

19/10
20/10.

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The Chancery,
British Embassy,
Washington.

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OUTWARD TELEGRAM

206

16578/1/3/48

15463/1157/57

En Clair

INDEXED

TO PALESTINE ACCOUNTS CLEARANCE OFFICE
CYPRUS

FROM S. OF S., COLONIES.

Sent 26th November, 1948. 22.15 hrs.

No. 203.

Grateful early reply to my
savingsgram No. 125 of 9th October
concerning retiring benefits of
Selim Nashif.

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Tel: WHITEhall 2366

Extension.....

Communications on this subject
should be addressed to—

THE UNDER SECRETARY OF STATE

COLONIAL OFFICE

LONDON, S.W.1

and the following
Number quoted: 16578/1/3/48

Your Reference..... E.12036/1102/31

207 E
COLONIAL OFFICE

SANCTUARY BUILDINGS

GREAT SMITH STREET

S.W.1

RECEIVED

12036/1102/31

The Under Secretary of State for the Colonies presents his compliments to the Under-Secretary of State for Foreign Affairs and is directed by the Secretary of State to say that the claim of Mr. Selim Nashif, forwarded under cover of your Memorandum No. E.12036/1102/31 of the 27th September, 1948, is now being investigated by the Palestine Accounts Clearance Office in Cyprus and a reply is expected in the very near future.

7th December, 1948.

69.

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NOTHING TO BE WRITTEN IN THIS MARGIN.

935541 Wt. 14000/147 250.000 6/47
A. & E. W. Ltd. Gp. 685

Registry No. 8.12036/1/49

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Secret
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Restricted
Open.

Drop.

US & S. for Cols.

846

28/1

29/1

OUT FILE

+ no C
28 Jan 1949

Sir I am etc'd to refer to your
Official letter No 16578 /1/3/49 of the
7th Dept. on the subject of compensation
allayed to be due to Mr SELIM NASHIF
a former employee of the Palestine
administration & to ask whether there
is a yet any information on this
subject wh. cd. be forwarded to
His Majesty's Embassy at Washington.

In this connection I am to enclose
a copy of a further letter from His
Majesty's Embassy & its enclosure
wh. shows that Mr NASHIF is at
present in an embarrassing financial
position.

27.25.49

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12036/1102/31

CUR

RECEIVED,
S.W.I.

28th January, 1949.

Sir,

I am directed by Mr. Secretary Bevin to refer to your official letter No. 15578/1/3/48 of the 7th December, on the subject of compensation alleged to be due to Mr. Solim Hashif a former employee of the Palestine Administration and to ask whether there is any information on this subject which could be of use to His Majesty's Embassy at Washington.

2. In this connection I am to enclose a copy of a further letter from His Majesty's Embassy and its enclosure which shows that Mr. Hashif is at present in an embarrassing financial position.

I am,
Sir,
Your obedient servant,

(sgd) B.A.B. Barrow

The Under Secretary of State,
Colonial Office.

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37

E

210

12486

12486

Registry Number E 12486/1102/31

FROM Mr. Dundas,
Damascus

No. 109. (226/31/48)

Dated 10th

Received in Registry } Sept
27thClaims of ex-Palestine Government Officials
at present in Damascus. (Disturbance Grants.)Encloses letter from the Executive Committee
addressed to the Colonial Secretary on the
question of "Disturbance Grants", dated 4th Sept.

Last Paper

E 12478

References

(Minutes.)

Cpy. C.O. for necessary action.

LT. 28:1x.

(Print)

(How disposed of)

8) C.O. 29 Sept

(Action
completed)

(Index)

A 30/9

14/2/49

Next Paper

E 12487

34987

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X110/89D

12486

British Legation,
Damascus.

10th September, 1948.

No. 109
(220/3140)

Sir,

I have the honour to enclose herewith, for transmission to His Majesty's Secretary of State for the Colonies, a further letter dated 4th September from the Executive Committee in Damascus of former Palestine Government Arab officials and employees in Syria.

I have the honour to be,
with the highest respect,
Sir,

Your most obedient, humble servant,

C. A. F. Dundas

The Right Honourable Ernest Bevin, M.P.,
etc., etc., etc.,
Foreign Office,
LONDON, S.W.1.

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212

The Executive Committee of the Arab
Officers Ex-Palestine Government in
Syria.

63, Kassab Quarter, Damascus, Syria.

4th. September, 1948.

The Honourable,
The Secretary of State,
For the Colonies,
London.

Through:-H.B.M. Legation,
Damascus,
Syria.

Sir,

We have the honour to stress on paragraph (C) of our letter dated the 30th June, 1948, with respect to the "Disturbance Grant" to non-expatriate officers of the Ex-Palestine Government and to request now that this question be carefully and sympathetically studied in the light of the following facts:-

- 1) The Ex-Palestine Government was a democratic Government and embodied two classes of officers namely first and second division with no differentiation between expatriate and non-expatriate officers as far as right was concerned.
- 2) The "Disturbance Grant" was paid to all expatriate officers, on account of the fact that they may not be re-employed in England or in any of the Dominions immediately after the termination of the Mandate, and that they were bound to meet difficult housing conditions in England.
- 3) In the case of the non-expatriate officers, it was stated in the circulars issued by the Commissioner of Civil Service N°s. 2/48 and 3/48 dated 28th February, 1948, and 1st. March 1948, respectively, that the question of this grant should be withheld in alayance until the end of the British Mandate in Palestine, so as to determine whether officers falling under this category would be employed by the succeeding authorities or not.
- 4) Considering now that the non-expatriate Arab Officers were not only unemployed, but they were compelled to scatter around in all Arab countries under intolerable conditions, leaving their properties and belongings behind, it is clear that they are more entitled and needful to the grant than the expatriate officers.
- 5) In the General Regulations, it is stated that officers of the Ex-Palestine Government are entitled to three months notice for the termination of their services. This notice was not given prior to the termination of the Mandate, and that strengthens the officers claim for the "Disturbance Grant".

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6) It is embittering to declare in this respect that the non-expatriate Arab Officers, who were lucky to escape to the neighbouring countries are now considered as refugees and are not allowed to be employed and earn their living, and that they have no source of income, whereas many of those who remained in Palestine were taken prisoners.

7) Referring to Memorandum of the Civil Servants 2nd Division Arab officers, dated the 13th April, 1948, we humbly request that both Pensionable and Provident Fund Arab officers, who experienced the same difficulties, be treated equally and without differentiation with respect to the grant.

8) The Arab Officers who experienced the above-mentioned difficulties appeal to you for sympathetic consideration of their request for the "Disturbance Grant" to which they are now fully entitled, drawing attention to their long period of loyal service, and their devotion until the termination of the Mandate. Many of them support large families and now in utter destitution and depravity.

9) In consequence of the disturbances, the Arab Ex-Officers suffered material losses. All those losses should be carefully taken into consideration, and compensation thereof be effected.

We have the honour to be,

Sir,

Your most obedient servants.

For the Executive Committee

[Signature]
Chairman,

E. Jovzov

Secretary.

Copy sent to The Accounts Clearance Office, Platres, Cyprus, for information.

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British Legation,
Damascus.

No. 109
(226/71/10)

10th September, 1948.

Sir,

I have the honour to enclose herewith, for transmission to His Majesty's Secretary of State for the Colonies, a further letter dated 4th September from the Executive Committee in Damascus of former Palestine Government Arab officials and employees in Syria.

I have the honour to be,
with the highest respect,
Sir,

Your most obedient, humble servant,

(Sgd) C.A.F. Dundas,

H.M. Charge d'Affaires.

The Right Honourable Ernest Bevin, M.P.,
etc., etc., etc.,

Foreign Office,
LONDON, W.V.I.

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215

The Executive Committee of the Arab
Officers ex-Palestine Government in
Iraq.
C. Hassan Porter, Damascus, Syria.

The Honorable
The Secretary of State for the Colonies,
London.

Through H.M. Legation, Damascus, Syria.

Sir,

I have the honor to refer to para. (c) of our letter dated the 30th June, 1948, with respect to the "Disturbance Grant" to non-expatriate officers of the ex-Palestine Government and to request now that this question be carefully and sympathetically studied in the light of the following facts.

- 1) The ex-Palestine Government was a Democratic Government and embodied two classes of officers namely: first and second division with no differentiation between expatriate and non-expatriate officers as far as right was concerned.
- 2) The "Disturbance Grant" was paid to all expatriate officers, on account of the fact that they may not be re-employed in England or in any of the Dominions immediately after the termination of the Mandate, and that they were bound to meet difficult housing conditions in England.
- 3) In the case of the non-expatriate officers, it was stated in the circulars issued by the Commission of Civil Service Nos. 243 and 343 dated 28th February, 1948, and 1st March, 1948 respectively, that the question of this grant should be withheld in abeyance until the end of the British Mandate in Palestine so as to determine whether officers falling under this category would be employed by the succeeding authorities or not.
- 4) Considering now that the non-expatriate Arab officers were not only unemployed, but they were compelled to scatter abroad in all Arab countries under intolerable conditions, leaving their properties and belongings behind, it is clear that they are more entitled and in need of the grant than the expatriate officers.
- 5) In the General Regulations, it is stated that officers of the ex-Palestine Government are entitled to three months notice for the termination of their services. This notice was not given prior to the termination of the Mandate, and that strengthens the officers' claim for the "Disturbance Grant".
- 6) It is embarrassing to declare in this respect that the non-expatriate Arab officers, who were lucky to escape to the neighboring countries are now considered as refugees and are not allowed to be employed and earn their living, and that they have no source of income, whereas many of those who remained in Palestine were taken prisoners.
- 7) Referring to Memorandum of the Civil Servants and Division Arab officers, dated 25th April, 1948, we humbly request that both the expatriate and non-expatriate Arab officers, who experienced the same difficulties, be treated equally and without differentiation with respect to the grant.
- 8) The Arab officers who experienced the above-mentioned difficulties appeal to you for sympathetic consideration of their request for the "Disturbance Grant" to which they are now fully entitled, drawing attention to their long period of loyal service, and their devotion until the termination of the Mandate. Many of them support large families and now in utter destitution and poverty.
- 9) In consequence of the Disturbance, the Arab ex-officers suffered material losses. All these losses should be carefully taken into consideration,

and ...

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and compensation thereof be effected.

We have the honour to be, Sir,
Your most obedient servants,

For the Executive Committee

(Sgd) ? (Sgd) M. Jouzy
for Chairman. Secretary.

Copy sent to: The Accounts Clearance Office, Platres, Cyprus for information.

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38	E	216
		12487
Registry Number E 12487/1102/31 FROM Mr. Dundas, Damascus. No. 106. (152/82/48) Dated 8th Received in Registry 27th Sept.	<u>Request from ex Palestine Government Officials (Arab) in Damascus for the British Government to secure the release of their colleagues from Jewish P.O.W. camps.</u> Encloses letter dated 4th Sept., addressed to Colonial Secretary. Refers to Damascus despatch No. 87 (XF10/89D(16/4 8)	
Last Paper <i>E 12487</i>	(Minutes.) <i>Copy Despatch & encl. to Mr. Gutch. C.O. for obs.</i>	
References	<i>L.J. 2.x.</i> <i>L.J. 18.x</i> <i>428.x</i>	
(Print)	<i>h.v. 16.x</i> <i>bu. b:xii See New E. 13413.</i>	
(How disposed of) <i>157 New. for 1st C.O.</i> <i>4 Feb.</i>		
(Action completed) <i>C. u/4</i>	(Index) <i>19/2/48</i>	
Next Paper <i>E 13216</i>		

34987

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38

E

216

1948

12487

PALESTINE

Registry Number E 12487/1102/31

FROM Mr. Dundas,
Damascus.

No. 106 (152/82/48)

Dated 8th

Received in Registry 27th Sept.

Request from ex Palestine Government Officials
(Arab) in Damascus for the British Government
to secure the release of their colleagues
from Jewish P.O.W. camps.

Encloses letter dated 4th Sept., addressed to
 Colonial Secretary.

Refers to Damascus despatch No. 87 (XF10/89D(16/4
 8)

Last Paper

E 12487

References

(Print)

(How disposed of)

107 Mr. Hutch, C.O.
 4 Ref.

(Action
completed)

Cul/4

(Index)

12/2/48

Next Paper

E 13216

(Minutes.)

Copy Despatch & encl. to Mr. Hutch. C.O. for obs.

LJ. 2: x.

h.v. 16: x

LJ. 18: x

b.v. 6: xii See New E. 13413.

LJ. 28: x

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XF10/89D/16/48)A.

RECEIVED

27

British Legation,
Damascus.

No. 106
(152/8248)

12487 8th September, 1948.

Sir,

XF10/89D/16/48)

XF

With reference to Mr. Broadhead's despatch No. 27 of July 1st., I have the honour to enclose, for transmission to H.M. Secretary of State for the Colonies, a further letter from the Executive Committee in Damascus of former Palestine Government Arab officials and employees now taking refuge in Syria.

I have the honour to be,
with the highest respect,

Sir,

Your most obedient, humble servant,

C. A. F. Dundas

The Right Honourable Ernest Bevin, M.P.,
etc., etc., etc.,
Foreign Office,
LONDON, S.W.1.

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218

The Executive Committee of the Arab
Officers of Ex-Palestine Government
in Syria.

63, Kasab Quarter, Damascus, Syria.

4th, September, 1948.

The Honourable,
The Secretary of State, for the Colonies,
London.

Through:- H.B.M. Legation,
Damascus,
Syria.

Sir,
The Executive Committee of the Arab Officers of Ex-Palestine
Government in Syria, humbly wishes to invite attention to the follow-
ing for favourable and sympathetic consideration:-

Many Arab Ex-Officers are prisoners of war in the hands of the
Jews. As those officers were not armed and did not actually part-
icipate in fighting, they cannot, therefore, be considered as prison-
ers of war. Their only fault is that they carried on their duties
faithfully as Government officers till the last moment. Because of
their sincerity and loyalty to the Ex-Palestine Government in execut-
ing their duties until the termination of the Mandate, they found
themselves entrapped and could not escape, especially that Government
forces withdrew before the end of the Mandate from many places without
first seeing to it that their officers would be left safe till the
last day of employment. We hold that Government responsible for the
captivity of those officers, and we sincerely hope that the British
Government would make all endeavours to ensure the release of those
ex-officers as soon as possible, and request you to approach all
authorities concerned.

We also humbly beg to invite attention to the miserable state
of the families of those officers and we wholly rely on your kind and
full help in paying their families all benefits due.

We have the honour to be,

sir,

Your most obedient servants,

R. J. J. J.

[Signature]
Chairman.

Secretary.

Copy to:- Mediator of the United Nations,
Conte Folke Bernadotte, Jerusalem.
Secretary, United Nations Truce Committee, Jerusalem.
Secretary, International Red Cross, Jerusalem.
Chairman, Arab Higher Committee, Damascus, Syria.
Secretary, Arab Union, Cairo, Egypt.
British Consul, Jerusalem, Palestine.

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British Legation,
Mansoura.

No. 106
(152/32/48)

8th September, 1948.

Sir,

With reference to Mr. Brundage's despatch No. 37 of July 1st., I have the honour to enclose, for transmission to H.M. Secretary of State for the Colonies, a further letter from the Executive Committee in Mansoura of former Palestine Government Arab officials and employees now taking refuge in Syria.

I have the honour to be,
with the highest respect,
Sir,
Your most obedient, humble servant,

(Sgd) C.A.P. Dumas.

H.M. Charge d'Affaires.

The Right Honourable Ernest Bevin, M.P.,
etc., etc., etc.,
Foreign Office,
LONDON, E.C.4.

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39 1948	<div style="font-size: 2em; font-weight: bold; margin-bottom: 5px;">E</div> EASTERN DEPARTMENT <div style="font-size: 1.5em; font-weight: bold; margin-top: 10px;">B</div>	220 <div style="font-size: 2em; font-weight: bold; margin-bottom: 5px;">E</div> 13216
<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p>Registry Number E13216/1102/31</p> <p>FROM Jerusalem C-G.</p> <p>to E Dept.</p> <p>No. A/46</p> <p>Dated 1st</p> <p>Received in Registry } 11th Oct.</p> </div> <div style="width: 70%;"> <p><u>Mrs M. Mazzotti's petition to the War Office.</u></p> <p>Encloses documents for War Office from widow of NAAFI Club Manager, claiming compensation for death of her husband on duty.</p> </div> </div>		
<p style="text-align: center;">Last Paper</p> <p style="font-size: 1.2em;">E 12487</p> <p style="text-align: center;">References</p>	<p style="text-align: right;">(Minutes.)</p> <p style="font-size: 1.2em;">Cpy. W.O. / for do: LT 13.x</p> <p style="margin-top: 20px;">b.v. 13:xi</p> <p style="margin-top: 10px;">1.) W.O. (0176/820 (F.S.A) 13/11</p> <p style="margin-top: 10px;">Letter to Mr. Clark.</p> <p style="margin-top: 10px;">2.) Mr. Archlin Co. Mr. Thurnhill (16580/420) 2/12</p> <p style="margin-top: 10px;">b.v. 20:xi see New 815147. 4. 20:xi.</p> <p style="margin-top: 10px;">4. 6:xi</p>	
<p style="text-align: center;">(How disposed of)</p> <p style="font-size: 1.2em;">25) W.O.</p> <p style="margin-left: 20px;">19 Oct</p> <p style="margin-left: 20px;">24) Mr. Clark, CO.</p> <p style="margin-left: 20px;">from Mr. Thurnhill</p> <p style="text-align: right;">Nov 23</p>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>(Action completed)</p> <p style="font-size: 1.2em;">C. Miller</p> </div> <div style="width: 45%;"> <p>(Index)</p> <p style="font-size: 1.2em;">12/2/48</p> </div> </div>		
<p style="text-align: center;">Next Paper</p> <p style="font-size: 1.2em;">E 13326</p>		

PUBLIC RECORD OFFICE
<div style="display: flex; justify-content: space-around;"> <div style="width: 10px; height: 10px; border: 1px solid black;"></div> <div style="width: 10px; height: 10px; border: 1px solid black;"></div> <div style="width: 10px; height: 10px; border: 1px solid black;"></div> <div style="width: 10px; height: 10px; border: 1px solid black;"></div> <div style="width: 10px; height: 10px; border: 1px solid black;"></div> <div style="width: 10px; height: 10px; border: 1px solid black;"></div> </div>
<div style="font-size: 2em; font-weight: bold;">FO</div> <div style="font-size: 1.2em;">371 / 68652</div>
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L-221

13216

Dear Department,

We have been asked by Mrs. Maria Mazzotti to transmit to you the correspondence enumerated below with the request that it be laid before the Secretary of State for War.

1. Petition dated 9.2.48 addressed to the Secretary of State for War through the then High Commissioner for Palestine.
2. Covering letter dated 9.2.48 addressed to High Commissioner for Palestine.
3. Letter No. SF/100/47 dated 27.2.48 from the Chief Secretary.
4. Letter dated 2.3.48 addressed to Chief Secretary.

Yours ever,

Jerusalem Consulate-General.

Eastern Department,
Foreign Office,
LONDON.

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222

Mrs. Maris Mazzotti
P.O.B. 469- JERUSALEM.

THE HONOURABLE
CHIEF SECRETARY
Government Office
Jerusalem.

Jerusalem, 2nd March 1948.

Sir,

I respectfully beg to thank you for your letter No. SF/100/47 dated the 27th ultimo and in response to your request I beg to enclose here- with 4 copies of my petition dated 9.2.48.

Thanking you in advance for an early con- sideration of my case.

I have the honour to be,
Sir,
Yours very respectfully,

(Maria Mazzotti).

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Government of Palestine
666

223

Ref.No.
SF/100/47.

Chief Secretary's Office
Jerusalem.

27th February, 1948.

Madam,

I am directed to refer to your
letter dated the 9th February, 1948, and
to request you to forward to me 4 more
copies of your petition.

I am, Madam,
Your obedient servant.

(Sgd.) B. St. G. Thwaites.
for CHIEF SECRETARY.

Mrs. Maria Mazzotti,
P.O.Box 469,
Jerusalem.

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1	2	3	4	5	6
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Mrs. Maria Mazzotti, 224
P. O. Box 469,
Jerusalem.

9th February, 1948.

His Excellency,
The High Commissioner for Palestine
Jerusalem.

Your Excellency,

I take the liberty to enclose
a petition addressed to His Majesty's Secretary
of State for War, through your Excellency.

I shall be most grateful, if
this petition may be forwarded with such
recommendations as in your judgement you
may deem equitable and appropriate.

Your most respectfully,

(MARIA MAZZOTTI)

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Mrs. Maria Mazzotti,
P.O.Box 469,
Jerusalem.

225

9th February, 1948.

The Right Honourable,
The Secretary of State for War.
through
His Excellency,
The High Commissioner.

Sir,

I most respectfully beg to bring to your notice
the following facts:-

I am the widow of the late Germano Mazzotti,
Manager of the Goldschmidt Officers' Club in Jerusalem,
who was killed in the terrorist outrage against the
establishment in the afternoon of the 1st March, 1947.

Applications, for the payment or compensation to
me, were duly submitted to the Chief Secretary of the Palestine
Government, to the Liaison Officer, E.F.I. Levant, the
Chairman, Board of Public Services (Supplementary Grants),
the G.O.C., but all to no avail.

The Chief Secretary, in his reply No. SF/100/47
dated 1st September, 1947, stated - "it is regretted that
Government cannot accept any liability in this case."

The Officer Commanding E.F.I. Levant, stated -
"With regret I have to inform you that although I have tried
hard to obtain compensation from the Government of Palestine
for dependants of our staff killed in the Goldsmith Club
outrage, I have been unsuccessful and to tell you, that
although you have my sympathy in this, there is little hope
of this decision being reversed".

The G.O.C. in his letter No. Claims/SLP/48 dated
24th January, 1948, stated :- "Your late husband was not
an employee of the W.D. but was in fact in employment with
NAAFI, which is a civilian concern. In these circumstances
I feel sure you will appreciate that the W.D. can do nothing
for you, it being a matter for consideration solely by the
NAAFI."

To my great dismay I find that all doors have been
slammed in my face. My late husband was receiving a basic
salary of LP.3.100 mils weekly equals LP.161.200 mils per
annum, and LP.3.742 mils, compensatory allowance, weekly,
equals LP.194.584 mils per annum, plus a certain percentage.

Had my husband been an Officer of the Palestine
Government, or a Temporary Additional Policeman, I, as his
widow, would have received :-

- (a) A pension for life, under the Pensions Ordinance;
- (b) The equivalent of one year's personal emoluments
= LP.161.200 mils.
- (c) The capital value of five times the high cost of
living allowances = LP.194.584 x 5 = LP.972.920 mils.

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Although my husband was killed as a result of terrorist action on the 1st of March, 1947, so far I have received no compensation whatsoever, and although no lack of sympathy has been displayed, what can sympathy without relief help a widow who is in straitened financial circumstances and at her wits end.

I feel confident, Sir, that your sense of justice would not permit of such a distressing state of affairs to prevail any longer. My husband was the sole supporter of myself, my aged mother and my young brother, and I respectfully pray that you will be good enough to issue the necessary instructions for the payment of adequate compensation to a widow whose husband was in the service of the N.A.A.F.I. and who lost his life in the execution of his duties.

Owing to the imminent withdrawal of the British Administration, I shall be most grateful, if this my appeal may receive early consideration, as otherwise I would not know to whom to appeal.

I have the honour to be,
Sir,
Yours very respectfully,

(MARIA MAZZOTTI).

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Registry
No. 6.18216/1102/27.

Top-Secret.
Secret.
Confidential.
Restricted.
Open.

L. G. T.

Dept. Letter

Mr. W. W. Clark.
Colonial Office.

(From Mr.
Thirkell).

NOTHING TO BE WRITTEN IN THIS MARGIN.

(84615) W.L. 4898/188 50,000 12/47 A. & E. W. Ltd. Gp. 685
(88708) W.L. 18462/169 150,000 5/48

227
FOREIGN OFFICE, S. W. 1.

23rd November 1948.

Dear blank,

On 13th November, the War Office
forwarded to you under cover of their letter
0176/825(F.3.A) copies ^{correspondence} which we addressed
to them in connection with the case of Mrs.
Maria Mazzotti ^{a former Navy Army Air Force Institute employee in Palestine} with which I believe you are
already familiar.

I should be grateful if you would let me
know whether there is anything that can be done
for Mrs. Mazzotti in view of the fact that the
War Office refused to accept any liability in
respect of former employees of the Navy, Army,
and Air Force Institutes.

Yours sincerely,

Y 20.xi.

22/11
23/11

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OUT FILE FOREIGN OFFICE, S.W. 1.

23rd November, 1948.

(E 13216/1102/31)

Dear Clark,

On 13th November, the War Office forwarded to you under cover of their letter 0176/825(F.3.A) copies of correspondence which we addressed to them in connexion with the case of Mrs. Maria Mazzotti, a former Navy, Army and Air Force Institute employee in Palestine, with which I believe you are already familiar.

I should be grateful if you would let me know whether there is anything that can be done for Mrs. Mazzotti in view of the fact that the War Office refused to accept any liability in respect of former employees of the Navy, Army and Air Force Institutes.

Yours sincerely,

(L.G. Thirkell)

W.L. Clark, Esq., M.B.E., M.C.
Colonial Office.

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J.10742

Tel. No. SLOane 0822 Ext. 612.

Any further communications on this subject should be addressed to:-
The Under Secretary of State,
The War Office
(as opposite),
and the following number quoted.



THE WAR OFFICE.

London, S.W.1.

13 November, 1948.

0176/825(F.3.A)

Your reference: **E.13216/1102/31.**

13216/1102/31

INCLOSURE

Sir,

With reference to your letter of 19th October, 1948, I am directed to inform you that a copy of the petition by Mrs. Maria Mazzotti for compensation for the death of her husband has been received from the Colonial Office under their reference 75156/151A/3/3/48 of 5th April, 1948.

The Colonial Office were informed in War Office letter No. 0176/825(F.3.A) of 31st August, 1948, that the Department could not accept liability in respect of employees of the Navy, Army and Air Force Institutes.

Your letter of 19th October, and the enclosures have been forwarded to the Colonial Office.

I am, Sir,
Your obedient servant,

G. H. Hardy

The Under Secretary of State,
Foreign Office.

London, S.W.1.

— when available pl:
4 17:xi.

[illegible]



My Reference1658.0/6/48

Your Reference E. 13216/1102/31

INDEXED

KW 230

COLONIAL OFFICE+
Sanctuary Buildings,
Great Smith Street,
S.W.1.

2nd December, 1948.

E 13216/1102/31

Dear Thirkell,

Will you please refer to your letter of the 23rd November addressed to Mr. Clark concerning the case of Mrs. Maria Mazzotti, whose husband was a former Navy, Army and Air Force Institute employee in Palestine.

In this connection would you please see my letter of the 25th November, which is in reply to the petition submitted by Mrs. Mazzotti and forwarded by you in the first instance to the Under Secretary of State for War.

Yours sincerely,

Question.

(R. S. Nicklin)

L. G. Thirkell, Esq.,
FOREIGN OFFICE.

[illegible]

40

E

EASTERN DEPARTMENT

23

E

13326

Registry Number E 13326/1102/31

FROM Mr. Clark, C.O.
to Mr. Thirkell.

No. 75872/159/39/7/48.

Dated 12th

Received in Registry 15th Oct.

Claim from L.J. Fuleihan (Palestine Customs).
Colonial Office comments.Refers to E11922/1102/31
Encloses report from former Deputy Director of
Palestine Customs.

Last Paper

E13216

References

(Print)

(How disposed of)

Apt) W. L. Jones, U.S.
Embassy from Mr.
Thirkell 10 Dec(Action
completed)

(Index)

C/261x 14/2/48

Next Paper

13413

(Minutes.)

The onus of dealing with Mr. Fuleihan's complaints
now rests with the Colonial Office.

It seems from Mr. Fletcher's letter within that there has been some neglect on the part of the Mandatory Government. The vehicles, of which some were allowed to be landed, were obviously armoured half-tracks of the type which we received as lend-lease from the Americans and used for combat purposes during the war. They are, without doubt, instruments of war and not agricultural tractors in disguise. The Haifa port officials were presumably misled by the fact that this type of vehicle is manufactured by the International Harvester Company. Vehicles of this type have been used against the Egyptians in the Negev and this may be partly our fault but there is nothing we can do about it at this stage.

Lance Thirkell
(L. G. Thirkell)
23rd October, 1948.

This is interesting evidence of how the Jews got military material during the Mandate. But there is, as Mr Thirkell says, nothing we can do now but keep silent JB Oct. 25

The attached U.S. Radio Bulletin deals among other things with the arrest by the Egyptians

34987

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1.) R. L. Jones U.S. Embassy L.W. Thackerall
23/12 (ccm)

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COPY

233

Audlem Lodge,
Broadstone,
Dorset.

4th October, 1948.

Dear Clark,

In reply to your enquiry of 29th September,
Fuleihan has indeed produced a wonderful story - but there
were no tanks.

Some time this Spring I received at my Headquarters a long telegram from the Arab Committee in Jerusalem complaining that tanks and weapons were being discharged from a ship in Haifa for use by the Jews. I rang up Peasley, my Collector at Haifa Port and he told me there was a ship in the Port from the U.S.A. with a quantity of arms and ammunition for the Far East and some apparently 'innocent' cargo for discharge in Palestine. He said there was only one item for discharge at Haifa of which he had been at all doubtful and that was a quantity of agricultural tractors fitted with an armoured shield in front of the driving seat. He had however inspected them himself and as the vehicles were similar to hundreds of others in use in the country he had no hesitation in allowing delivery. (Most vehicles in the settlements, buses and lorries were armoured to protect the drivers from snipers). I decided however to see the vehicles myself and accompanied by Peasley went out to the breakwater where the ship was discharging into lighters. The vehicles were in open crates - not cased - and were as Peasley had described. They were open trucks with half-tracks and protected sides and windscreens. They bore the nameplate of some agricultural harvesting company in the U.S.A. (I have forgotten the name but it was a fairly well-known firm). I should have agreed with the Collector and allowed delivery if I had not carried my examination a little further. I scraped some of the paint from the dashboard and uncovered a U.S. Army plate bearing the engine and vehicle number etc. In my opinion the vehicles were originally troop-carriers, reconditioned for use on the land. As such, however, they fell within the terms of the Palestine prohibition of imports of 'Ex-Army stores, equipment, vehicles etc. save under licence granted by the Inspector-General of Police'. I instructed Peasley to stop deliveries until the importers produced the necessary licence. Before this was produced the General Manager of the Railways (Ports Authority) who, with me, was concerned about the nature of the cargo remaining on board and destined for the Far East, ordered the ship and entire cargo away. The vehicles were reloaded and the ship sailed. Some, I think three, (but it may have been 13) were delivered before the stop was applied.

Sorry this is all so long-winded but I thought you had better have the whole story. I do not know how Fuleihan comes into the story but it is quite possible he was responsible for the information supplied to the Arab Committee in Jerusalem. It was generally known that he was actively engaged in the Arab cause in Haifa and I have no doubts whatever that the Jews would have run him out of the country in any case. After the 'battle of Haifa' he was arrested by the Jews and kept prisoner for a couple of days. He was not ill-treated but was told to get out of the country. He came to see me before he left for the Lebanon and I understood from him that his banishment was due to his general activities. So far as I recollect he said nothing of this particular ship. I do remember that he wanted a recommendation to be allowed to leave Government Service in order to accept employment with the Iraq Petroleum Company which I had assisted him to obtain.

That, I think, is all I can tell you but Kirby (Railways)

/or ...

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or Peasley (now in Mauritius) would supply confirmation if you wanted it.

I leave for British Guiana on Thursday and I trust there is no gun-running there.

With kindest regards,

Yours sincerely,

(sgd.) J.L. Fletcher.

FO 371 / 68652

*M. Bristerbaile: We receive our own copy of this
so unless specially marked to us - we do not need.*

UNITED STATES INFORMATION SERVICE

*Spencey
29/
234*

Tel.: GROSVENOR 4111

AMERICAN EMBASSY

Daily Wireless Bulletin

No. 841.

TRUMAN SEES MARSHALL
AND OTHER TOP AIDES

WASHINGTON -- Back at his White House desk after a two-week vacation, President Truman conferred with top aides on November 22 as he obtained an up-to-the-minute report on the European Recovery Programme and the international situation in general.

Heading the list of callers was Secretary of State Marshall, who flew back from the General Assembly meeting in Paris. However, there were no details announced on the content of their talks.

Despite a drizzling rain, President Truman was on hand at National Airport to welcome Mr. Marshall home on the morning of November 22 when the Secretary's plane arrived. The two made arrangements for their later conference at the White House.

In response to newsmen's questions, Mr. Marshall said he did not know whether he could return to Paris. The U.N. sessions are scheduled to adjourn early in December.

Another White House visitor was Ambassador W. Averell Harriman, special representative of the Economic Co-operation Administration in Europe. Mr. Harriman came back to the United States last week for consultations.

Mr. Truman also talked with Mr. John W. Snyder, U.S. Secretary of the Treasury, Mr. James Forrestal, Secretary of Defence, and Budget Director James Webb.

He met the entire Cabinet at a luncheon meeting in Blair House, directly across Pennsylvania Avenue from the White House, which is serving as the President's residence while the White House undergoes repairs.

After they had talked at the White House for about a half-hour, President Truman and Secretary Marshall emerged from the Presidential offices and walked to Blair House.

Later, White House Press Secretary Ross told reporters that the conference was "very informative" and that Mr. Marshall had presented a "comprehensive and useful" account of U.S. foreign affairs. At the cabinet luncheon, Mr. Marshall described the international situation, and included an account of the U.N. Assembly sessions.

Mr. Ross said the Chinese situation was discussed in Mr. Marshall's outline of foreign affairs.

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Asked about Mr. Marshall's tenure as Secretary of State, Mr. Ross answered that the President has nothing to add to what he said last week at a news conference at Key West, Florida, his vacation retreat. At that time, Mr. Truman said he and Mr. Marshall are in perfect accord and always have been. The President pointed out that Mr. Marshall had long wished to retire but had remained in active service because of his feeling of duty.

Mr. Ross said he did not know whether the subject of Mr. Marshall's retirement came up during the November 22 conference.

On arriving at the airport, Mr. Marshall told reporters:

"I really appreciate tremendously the President's coming out to see me, especially in weather like this. I can't say anything about the Security Council. I think a great deal of understanding has resulted from what has already happened."

In addition to the President, Mr. Robert A. Lovett, Under Secretary of State, French Ambassador Henri Bonnet, and Mr. Stanley Woodward, State Department Chief of Protocol, came to the airport to greet Mr. Marshall.

Mr. Marshall and Mr. Lovett conferred at the State Department on the afternoon of November 22.

Mr. Harriman informed White House correspondents that he had told the President a "wave of enthusiasm" swept across Europe as a result of his reelection and the strong support in Congress which the electorate gave him.

"A feeling exists in Europe that liberalism is in the ascendancy here as against what they thought were reactionary tendencies," Mr. Harriman said he reported to President Truman. "The moral influence of the United States as a result of this is greatly increased."

In response to a question whether the recovery programme outlay would be reduced next year as originally planned, Mr. Harriman replied that he knew of no change in the concept.

Asked about reports which have been prevalent recently to the effect that he might figure in a Cabinet change, Mr. Harriman said that he has a job to do now, that he is working at it and that he has nothing else on his mind.

U.S. SAYS EGYPT ACTED ILLEGALLY IN THE "FLYING TRADER" INCIDENT

WASHINGTON -- A State Department spokesman told newsmen on November 22 that the United States was protesting the action of the Egyptian Government in detaining and unloading a U.S. merchant ship, the "Flying Trader," at Port Said on the Suez Canal.

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The Egyptian Government acted contrary to international practices and the Suez Canal agreement of 1888, said the State Department's press officer, Mr. Lincoln White, explaining that convention provides that all vessels shall be permitted free transit of the canal at all times.

Mr. White said the protest presumably was delivered by Mr. Jefferson Patterson, U.S. Charge d'Affaires, in the absence of U.S. Ambassador Stanton Griffis. However, Mr. White added, he had not seen the instruction and did not know whether Mr. Patterson had delivered the protest.

(On November 19, it was reported inaccurately here that the Cairo Embassy had been instructed without qualification to protest against the "Flying Trader" incident).

(A State Department source asserted on that date that, on the basis of latest communications, the Cairo Embassy had not taken up the matter with the Egyptian Government. Correspondence was continuing between the Department and the Cairo Embassy, the informant states, and the Embassy had been advised to protest, if circumstances warranted).

According to the Department spokesman, Mr. Philip Ernst, U.S. consul at Port Said, where the vessel was detained on November 19, protested to the governor of the Suez Canal and to the Egyptian customs and Army authorities. However, the unloading of the ship's cargo continued despite the protest, he added.

Information here, the spokesman stated, was that the Flying Trader's cargo included 4,000 bags of rice destined for Genoa, Italy, 38 tractors, which were part of a larger shipment originally brought from Philadelphia on another ship, and two lugger cranes consigned to Tel Aviv and Haifa. On the other ship's arrival at Tel Aviv, British authorities reportedly ordered the vessel to proceed to Haifa, where 13 of the original 51 tractors and the two cranes were discharged.

|| Because of undue delay, the State Department informant continued, the first ship sailed to Bombay where the remaining tractors were stored aboard lighters. At the owner's request, the 38 machines were loaded on the Flying Trader for re-shipment from Bombay to New York.

Asked why the Egyptians insisted on unloading the Flying Trader, the State Department spokesman replied that the pretence was that the cargo was consigned to Palestine. He added that the ship's papers showed the cargo to be destined only for Genoa and New York.

Last May, Egypt announced that it would blockade Palestine. The United States made clear at that time that, since there had been no declaration of war to justify a blockade, it would not order any of its shipping to avoid Palestinian waters.

On November 22, Mr. White said the protest presumably was on the grounds that the United States has not recognised the existence of a state of war between Israel and Egypt.

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PALESTINE DELIBERATIONS
ARE SPEEDED UP AT U.N.

PARIS — As the U.N. General Assembly's Political and Security Committee intensified its efforts to speed decision on steps aimed at political settlement in Palestine, four delegations and the Arab Higher Committee on November 22 expressed their views on recommendations of the late Count Folke Bernadotte and on a British resolution seeking approval of the assassinated U.N. mediator's proposals.

Beginning on November 22, the committee plans to meet seven times in three days regarding the Palestine question.

Main features of the Bernadotte Plan call for setting up a conciliation commission; border revisions which would give the Negev desert area to the Arabs and Galilee to the Jews; placing Jerusalem under U.N. control; and authorizing the Arabs to decide the future of Arab Palestine.

The United States has supported the basic principles of the premises on which Count Bernadotte based his report, but has said it feels any boundary changes from the U.N. Assembly resolution of last November, which granted more territory to Israel than the Bernadotte proposals, should be made only if acceptable to Israel. The U.S. view, as expressed by the Deputy Delegate Dr. Philip Jersup, on November 20, is that the conciliation commission recommended by Count Bernadotte should strive further to settle the boundary questions.

Mr. Lester Pearson of Canada on November 22 said the British resolution was a good basis for discussion but added that it needed modification in many respects.

In this connection, the United States is expected to submit amendments to the British resolution as containing "many positive and constructive elements which would bring us substantially nearer the solution we seek." He said the United States would take advantage of a British invitation to submit amendments to the resolution.

The Arab Higher Committee spokesman, Mr. Henry Cattán, opposing the Bernadotte recommendations, asserted that partition "had not worked, had not settled and could not settle the Palestine problem." He charged that "Jewish terror" had been facilitated by a policy of the British Mandatory Government which had "disarmed the Arab population."

Mr. Cattán claimed that the figure of 500,000 Palestine refugees given by Dr. Ralph Bunche, acting U.N. mediator, was an underestimate, arguing that it was closer to 800,000.

Poland and the U.S.S.R. also spoke against the Bernadotte proposals.

The Dominican Republic supported the suggestion for international control of Jerusalem. The Dominican Delegate said the proposed conciliation commission should be given the widest possible discretion and should not cling to "very letter of the Bernadotte report."

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U.S. URGES RECONSIDERATION
OF BIDS FOR U.N. MEMBERSHIP

PARIS -- The United States announced on November 22 its support of the U.N. General Assembly's reconsideration of the membership applications of Eire, Transjordan, Austria, Italy, Finland, Portugal and Ceylon.

U.S. delegate Benjamin V. Cohen told the special political committee of the U.N. General Assembly that the United States supports an Australian-Belgian proposal recommending reconsideration of the applications of Eire, Transjordan, Italy, Finland, and Portugal and said that the United States would propose the inclusion of Austria in this list. He also described Ceylon as another qualified applicant whose admission had been prevented, as in the other cases, by Soviet Union vetoes.

Mr. Cohen termed the repeated Soviet refusal to accept these nations "wilful and continued frustration of the majority's desire to take the action necessary to give moral basis to the right of the United Nations to speak for the world community of nations." He pledged that the United States "will do our part to make the United Nations truly representative of the world community of peace-loving, law-abiding nations."

Mr. Cohen contrasted the general approval by members of both the General Assembly and the Security Council of the nations under discussion with the general doubt as to the acceptability of the Soviet-sponsored applications of Albania, Bulgaria, Rumania, Hungary and the Mongolian Peoples Republic.

He said that while the United States agrees generally that "universality of membership is a highly desirable and proper objective," this does not mean that the United Nations should ignore "the rudimentary requirements of Article Four (of the Charter) as essential conditions of membership."

Listing the Charter conditions for membership as requiring applicants to be "peace-loving," to be willing to accept the obligations of the Charter, and to be able to carry out these obligations, Mr. Cohen said the United Nations should not be satisfied with "paper assurances" of the applicants. The U.N., he said, is "entitled to greater proof." Referring to the Soviet-sponsored nations, he said in part: "Let those states with regard to whose admission the majority of the Security Council and the General Assembly have doubts give tangible proof of their desire for membership."

"Let the Mongolian Peoples Republic open its doors to the outside world sufficiently to permit a real establishment of the facts regarding its independence."

"Let Albania and Bulgaria cease their assistance to the guerrilla forces in Greece in accordance with the terms of the General Assembly's resolutions on the Greek question. Let Bulgaria, Rumania and Hungary observe the provisions of their treaties of peace by abolishing the repressive, tyrannical practices of their Governments."

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Mr. Cohen reviewed the efforts of the past two years to reach agreement on the entrance of new members and the frequent Soviet vetoes that followed those efforts. He said the United States considered the nations concerned in the Australian-Belgian and American proposals as being qualified for U.N. membership, noting the previous votes in the Security Council showed that a majority of the members of that body held the same view.

In the same vein, he called attention to the recommendation of the General Assembly of 1947 requesting reconsideration by the Security Council of the Soviet-vetoed applications. He said in part:

"On the one hand we see the U.S.S.R. firm and unyielding in its determination to prevent the admission of duly qualified states to the United Nations on grounds which are to the United States unconvincing. On the other hand, we see the majority of the membership of the Security Council and the General Assembly standing powerless before the Soviet veto. In the circumstances it is hardly surprising that the members of the Assembly should express their concern at this wilful and continued frustration of the majority's desire to take the action necessary to give a moral basis to the right of the U.N. to speak for the world community of nations."

Mr. Cohen referred to the opinion handed down last May by the International Court of Justice which held that the Soviet vetoes of the applications under consideration had been made on considerations other than those outlined in Article Four. The General Assembly had requested an advisory opinion on the Soviet vetoes of the autumn of 1947, when the U.S.S.R. refused to approve the entrance of the majority-approved nations unless the Soviet-sponsored group was admitted at the same time. The International Court's opinion that there could be no "horse trading" on the question of entrance qualifications was pointed to by Mr. Cohen as proof that the opinion of "this great majority of the members of the U.N. is confirmed by the advisory opinion handed down by the proper international tribunal."

Reiterating the U.S. pledge not to use its veto right in the Security Council to exclude any nation which the General Assembly determines is qualified for membership, Mr. Cohen also repeated that the United States is willing to accept the elimination of the unanimity requirement in the Security Council with regard to the admission of new members, as was stated at the 1947 session of the Assembly. He closed with the insistence that applicants meet the Charter requirements for membership, saying with regard to the treaty pledges of Hungary, Rumania and Bulgaria:

"These treaty provisions ensuring respect for human rights and fundamental freedoms are not old and obsolete provisions from old and obsolete treaties. They are provisions incorporated in the peace treaties to carry out the solemn promises made to the peoples of these countries by the Allied powers before the end of the war. Callous disregard and flagrant violations of these treaties by governments seeking admission into the United Nations cannot be ignored."

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"If action is taken to remedy these difficulties, the serious doubts regarding these states entertained by our delegation -- and I believe by most of the other delegations here present -- might be minimised and their admission to membership accepted. Let me assure the Assembly that the United States would not stand in the way of the admission of any applicant if it were satisfied that it was qualified for membership. We will do our part to make the U.N. truly representative of the world community of peace-loving, law-abiding nations."

The ad hoc political committee in which Mr. Cohen spoke was created last week to take some of the load assigned to regular Political Committee. It turned on November 22 to the question of admission of new members and faced several resolutions submitted by Australia, Belgium and Argentina. The Australian resolution stated that several of the applicants had been illegally excluded from the United Nations and dealt particularly with the case of Portugal. Together Australia and Belgium brought up all the Soviet-vetted applications except those of Austria and Ceylon. The Argentine proposal was for the elimination of the veto on admission of members, suggesting instead that all applications receiving a majority vote in the Security Council -- regardless of big power voting -- be submitted to the General Assembly for final action.

BULGARIA VIOLATED OBLIGATIONS
OF PEACE TREATY, U.S. STATES

WASHINGTON -- The United States said on November 22 that Bulgaria violated peace treaty obligations and terminated the "final pretence of Bulgarian Democracy" in its recent trial and convictions of nine anti-Communist Bulgarians.

In a statement made public on November 22 which noted that the trial had "followed the familiar iron curtain pattern and was predicated on the usual vague charges and 'confessions,'" the State Department likewise disclosed that a formal note was delivered to the Bulgarian Government on November 20. This note took exception to "preposterous assertions" made at the trial that U.S. representatives in Bulgaria had been involved in improper activities with the defendants.

The nine men convicted at the trial which was held from November 8 to 15 were a group of Socialist Deputies led by Mr. Kosta Lulchev, and constituted, the Department pointed out, "the last elementary opposition to the Bulgarian Communist Government."

"In thus terminating the final pretence of Bulgarian Democracy by eliminating these remaining elected representatives of the opposition, the Bulgarian regime has again violated its covenanted obligations under Article Two of the Treaty of Peace to assure its citizens basic fundamental freedoms," the Department said.

Department officials pointed out that, according to the technique now used behind the iron curtain, the nine defendants were charged with crimes allegedly committed as far back as 1945 "and now suddenly discovered for the first time." Such crimes, the spokesman added, consisted simply in attempting to act the role of political opposition in accordance with the Western connotation of that term in an operating Democracy.

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Also, it was pointed out, during the trial, the Bulgarian press built up an attitude considering all defendants guilty even before sentence was imposed. Furthermore, judges, prosecutors and even defence lawyers were all Communists, and only Communists were admitted to the heavily guarded court room.

In rebuking the Bulgarian Government for the "irresponsible conduct" of its public prosecutor who tried to show that conversations in 1945 and 1946 between the defendants and U.S. representatives in Bulgaria constituted "treasonable activity," the U.S. note recalled that at that period, Bulgaria was under an armistice regime.

"When requested, free discussion of Bulgarian political affairs with representatives of the armistice powers was accordingly incumbent upon Bulgarians," the note stated, adding "that no discussions have taken place between U.S. officials and Bulgarian nationals during the armistice period or subsequently which could be regarded as improper then or following the conclusion of peace."

In regard to charges regarding the "subversive involvement" with Bulgarian political forces on the part of an enlisted U.S. soldier, also charged at the trial, the U.S. note said that "the absurdity of the charge should have been apparent" inasmuch as the soldier concerned "was a mess sergeant whose duties comprised the procurement of food for members of the Allied Control Commission."

WESTERN POWERS PREPARING
REPLY ON BERLIN CURRENCY

PARIS -- U.S., British and French delegates to the Security Council met on November 22 to discuss the single reply they are going to make to the questionnaire of the Council President, Mr. Juan A. Bramuglia of Argentina, regarding the currency problem in the Berlin issue between the Western Powers and the Soviet Union.

It is expected the reply will be delivered to Mr. Bramuglia late on November 22 or on November 23, and the six Council neutral nations he represents will be called immediately to consider it. The three Western power representatives, at week-end meetings, decided to make a single reply to the questionnaire, although they had previously been reported planning separate but parallel answers.

In accordance with their responses to the appeal of the General Assembly President Dr. Herbert Evatt, and the U.N. Secretary General Mr. Trygve Lie, for the Big Four to renew efforts to end the Berlin crisis, the Western powers are co-operating fully with Mr. Bramuglia. Mr. Bramuglia, acting on behalf of the six nations of the Security Council which are not parties to the Berlin dispute, has been trying to find a solution to the problem ever since the Western powers accused the Soviet Union of threatening the peace by its action in blockading the city.

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Mr. Bramuglia's latest efforts are directed at finding a solution to the Berlin currency problem in the hope that this might lead to lifting of the Soviet blockade.

The U.S.S.R. has submitted its answer to Mr. Bramuglia's questionnaire, but he has not disclosed its contents although he has been quoted as saying it "appears to be satisfactory."

Meanwhile, Dr. Evatt said in a radio interview that there are reasonable prospects of settlement within three weeks. He said the problem now "is a question of time and not of principle."

The major requirement, he said, is to draft a time schedule for lifting the Berlin blockade and making the Soviet zone currency the sole currency for all Berlin which would be satisfactory both to the Western powers and to the Soviet Union.

DECISION ON SITE OF FAO POSTPONED

WASHINGTON -- Choice of a permanent site for the United Nations Food and Agriculture Organisation was postponed on November 22 pending further study by the site commission.

The postponement decision was reached following two days of debate on location of permanent headquarters for FAO. Sites have been proposed in Denmark, Italy, Switzerland, Austria and the United States. Voting in favour of postponement was 22 to 17, with four abstentions, including the United States and Italy.

The commission action is subject to approval by the full 57-nation conference which is now in its second week here. The director general was empowered to call a special conference of FAO to select a site if he considers it necessary.

The invitation to FAO to locate permanent headquarters in Washington was extended to the conference on November 19. The U.S. delegate Mr. William A. Minor, said that not only would FAO be welcome, but that the United States stands ready to render appropriate aid in providing suitable headquarters and other arrangements to achieve maximum effectiveness.

Mr. Minor listed the following factors as being of primary importance in choosing a permanent site: adequate access to competent personnel; liaison with other international agencies such as the United Nations, World Bank and Pan-American Union; availability of consultation with outstanding scientists; use of one of the working languages of FAO; press and informational outlets; staff housing; adequate transportation facilities; fast mail and communication facilities; rapid access to libraries, scientific and technical information.

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Chief reasons expressed by the delegates for opposing the location of FAO in the United States were economy and the fear that Americans may predominate in the organisation. Some delegates expressed the feeling that the extra expense of locating permanent headquarters in Washington could be met only by the United States increasing its contribution to FAO. This country now pays about 27 per cent of FAO's cost, and has expressed opposition to increasing the proportion.

The decision to postpone action on location of a permanent site, resulted largely from a last minute suggestion by the U.S. Secretary General Mr. Trygve Lie, of accommodations in the United Nations headquarters in New York City.

Havana was recommended as the location for the next FAO conference, which will probably be held in January, 1950. The recommendation will go to the full conference for a vote later this week.

A.F.L. DEMANDS CHECKING OF SOVIET EXPANSIONISM

CINCINNATI, Ohio -- By unanimous vote, the American Federation of Labour, one of the largest U.S. labour organisations, called on November 22 for a world-wide marshalling of economic and military forces to arrest the "dire threat to the entire free world" of the Soviet Union's "unexampled arrogance and unbroken aggression."

The 650 delegates to the AFL's 67th convention overwhelmingly approved resolutions proposing that the United States "spare no effort to help all freedom-loving nations become strong, independent, and self-supporting Democracies." They also pledged active effort in wresting the free trade unions of the world from totalitarian Communist influence.

In a vigorous indictment of Soviet policy, the convention proposed a severance of all trade relations with the U.S.S.R. by the United States and other Democratic powers "until such time as Russia is ready to lift her barbarous blockade of Berlin."

Strongly backing the European Recovery Programme, the convention asserted that ERP must "rebuild so soundly as to defeat Communism" and serve as an "economic example and a political hope for the oppressed and depressed behind the iron curtain."

Another resolution declared:

"The United States should not only put its own defences into complete readiness and invincibility but should also provide arms and enter into a defence military alliance against totalitarian aggression which may threaten friendly nations in Europe, Asia, or elsewhere."

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In resolutions adopted unanimously on November 20, the AFL favoured the placing of Italian colonies under the U.N. trusteeship system, and recognised "Italy as a fighting and worthy co-belligerent of the Democracies and a valuable participant in the ERP." Wholehearted support of UNESCO was registered.

Text of the resolution of the United Nations:

"The executive council report on this subject points out that the U.S.S.R. has used its veto power to prevent the United Nations from performing its functions. We do not believe that the situation would be remedied by abolishing the veto. The difficulties in the United Nations go much deeper than can be remedied by legislative action. The U.S.S.R. would continue its policy of aggression in order to communise all nations regardless of any change in the Charter. Its philosophy of life and its objectives to be attained by government are absolute contradiction to those of the Democratic way of life. The Kremlin is determined on conquest of the world whether by cold war or atomic bombs. Peace with Democracies has no place in the Kremlin's plans.

"The time has come when we should seriously consider as defence strategy a world union of Democratic nations to promote our general welfare and to defend our way of life against enemies.

"We recommend that the executive council study various proposals for changing the Charter of the United Nations and report to the next convention."

Text of the resolution on ERP:

"The American Federation of Labour was one of the first American agencies to realise the U.S.S.R.'s plan to overpower Western Europe. We realised that economic chaos resulting from war destruction and the Nazi system of siphoning off the wealth of conquered countries had left Central Europe well nigh helpless before Communist aggression which quickly extended their control over the Balkans and Poland.

"We therefore urged adoption of a relief programme to provide food and endorsed Secretary Marshall's proposal to finance a programme for economic recovery to be drawn up by the European countries concerned. Against the positive opposition of the U.S.S.R. the European countries accepted the proposal and organised to help administer the undertaking. Representatives of the A.F. of L. are in the Economic Co-operation Administration both in Washington and in Europe. By aiding the recovery of industries to constitute a European economy we hope to provide the basis for peace and hope for the future.

"We have, however, no delusion that the Kremlin will yield easily its plan for world power as evidence by its global strategy of striking at the sources of raw materials in Asia upon which Western Europe depends, in the transportation strikes designed to stop the flow of materials and machines to Europe, and the strikes of production workers in France and elsewhere in Europe.

"Our problem is to defeat this Communist strategy by restoring comfort and well-being. By the appointment of trade unionists to responsible places in the administration of economic recovery, we discredit Communist charges that the plan is all a Wall Street plot against labour."

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PROPOSAL TO INTERNATIONALISE
ARCTIC IS OPPOSED BY NORWAY

WASHINGTON -- Norway has rejected the United States proposal for internationalisation of part of the Antarctic region, the State Department sources revealed on November 22.

Norway's opposition to the proposal was made known in a note presented to the State Department on November 15 by her Ambassador to the United States, Mr. Wilhelm Munthe De Morgenstierne.

The Norwegian Government was said to prefer to look out for its own interest in the Antarctic area. Norwegians have claimed two large areas, Peter the First Island and Queen Maudsland. Both are used as bases for Norwegian whaling expeditions.

Several months ago, the State Department asked seven countries with claims in the Antarctic for their reaction to a proposal to internationalise areas south of 60 degrees south latitude.

Norway's refusal is the third voiced by countries opposing internationalising part of the Antarctic. Chile and Argentina earlier had opposed the idea.

TIMOTHY SEED EXPORTS
WILL BE CONTROLLED

WASHINGTON -- Because the current U.S. timothy crop is about 50 per cent below normal, export licences will be required for shipments of timothy seed to all foreign destinations except Canada after November 28, the U.S. Department of Commerce announced on November 22.

According to Commerce officials, the current available supply of timothy seed is about 53,000,000 lbs., including a carry-over of 25,000,000 lbs. from last year. Since domestic requirements are estimated at 50,000,000 lbs., it is essential to guard against excessive exports of the commodity, Commerce officials explained.

In the past, exports of timothy seed have not required licences for shipment to most destinations, although shipments to Europe have been controlled.

EXPORT QUOTAS REDUCED
ON NON-FERROUS METALS

WASHINGTON -- Fourth quarter export quotas for non-ferrous metals, minerals and manufactures are substantially lower than those for previous quarters, U.S. Department of Commerce announced on November 22.

The Department's Office of International Trade attributes the reduction in quotas both to decreased foreign demand, brought on partly by dollar shortages, and to increased domestic demand.

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One of the largest reductions was in the quota for zinc slabs, pigs and blocks, which dropped 75 per cent. Other substantial reductions were made in the quotas for copper plates, sheet and strip; rubber-covered wire; brass and bronze bars, rods, plates, sheet, strip and circles; lead anodes, lead battery plate, and lead and tin foil.

Only appreciable increases in quotas were made in those for tin ingots, pigs, and bars; lead pigs and bars; lead sheet and pipe, and lead solder. These increases are designed to meet the needs of projects in Latin America and the Near East.

DIPLOMATIC RELATIONS
WITH PERU CONTINUED

WASHINGTON -- The United States will continue normal diplomatic relations with Peru, thus giving recognition to the three-weeks-old government headed by General Manuel Odria which overthrew President Jose Luis Bustamante on October 29.

The U.S. action is in line with a resolution adopted at the Bogota conference early this year which states that continuity of diplomatic relations is desirable. The resolution also states that the establishment, maintenance or renewal of such relations with a particular government does not in any way imply any judgment as to the domestic policy of such a government.

WASHINGTON WELCOMES
HISTORIC AEROPLANE

WASHINGTON -- This city staged a colourful welcome on November 22 for the Wright brothers' "Kitty Hawk," the motorised plane which made aviation history 45 years ago at Kitty Hawk, North Carolina, when it carried man in sustained flight for the first time.

The crated "Kitty Hawk" was greeted as it entered Washington in a U.S. Navy lorry, en route to an honoured resting place in the National Air Museum at the Smithsonian Institution, after 20 years on display in England at the Science Museum, in London's South Kensington. It was brought home to America at the last request of one of its creators, the late Orville Wright.

An escort of the Metropolitan Police Force accompanied the "Kitty Hawk" along its route while civil air patrol planes flew overhead, reporting its progress toward a speaker's stand in the Smithsonian grounds. There the plane was greeted by the music of Army, Navy and Marine bands, and by colour guards of all branches of the nation's armed services, of the Civil Air Patrol, the American Legion, and the Veterans of Foreign Wars. A brief ceremony, with speeches by British and American aviation authorities, was highlighted by the arrival of a 10-passenger U.S. Coast Guard helicopter from Kitty Hawk, where Orville and Wilbur Wright prove man could fly.

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FOREIGN OFFICE, S. F. I.

10th December, 1948.

CUT FILE

No. E. 13326/1102/31.

CONFIDENTIAL.

Dear Mr. Lewis Jones,

In connexion with the extract in your radio bulletin about the detention of the United States Ship "Flying Trader" by the Egyptians (United States Information Service Daily Wireless Bulletin No. 841 of the 23rd November, pages 2 and 3), you may care to see the enclosed extract from a report prepared by the former Deputy Director of Customs for Palestine about the unloading of a number of half-track vehicles at Haifa shortly before the end of the Mandate.

To judge from the similarity in numbers, the tractors referred to on page 3 of your radio bulletin, are identical with the half-track vehicles whose further unloading, the Deputy Director of Customs prevented from being carried out on the grounds that they were military vehicles. Presumably they were half-tracks of the type manufactured by the International Harvester Company, which were used by us as lend-lease equipment during the war.

Yours sincerely,

(L.G. Thirkell)

Mr. G. Lewis Jones,
United States Embassy,
1, Grosvenor Square,
W.1.

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L. G. Thirkell, Esq.
Eastern Department,
The Foreign Office,
Whitehall, S.W.1.

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<p>41</p> <p>1948</p>	<p>E</p> <p>EASTERN DEPARTMENT</p>	<p>245</p> <p>E 13413</p>
<p>Registry Number E 13413/1102/31</p> <p>FROM Colonial Office.</p> <p>No. 75036/301/48.</p> <p>Dated 15th Oct.</p> <p>Received in Registry 18th</p>		
<p><u>Ex Palestine Govt officials in Jewish POWs.</u></p> <p><u>Colonial Office reply.</u></p> <p>Refers to E12487/1102/31.</p>		
<p>Last Paper</p> <p>E 13326</p> <p>References</p> <p>(Print)</p> <p>(How disposed of)</p> <p>Sept. Willam Co.</p> <p>Sept. 11 Dow (Paris)</p> <p>29 Oct</p> <p>* Comp. Damascus</p> <p>Chy. 1/Nov.</p>	<p style="text-align: center;">(Minutes.)</p> <p>1 submit a draft tele informing HAFSA.</p> <p style="text-align: right;">Lance HIRKELL 28.X</p> <p>There is little we can do for these unfortunate people, except to ask the C.O. to be prompt in paying them, & Mr Bealey to see whether he can do anything for them in PARIS. I submit three drafts.</p> <p style="text-align: right;">Lance HIRKELL. 28.X</p> <p style="text-align: center;">Letters to Co. and</p> <p style="text-align: center;">Sir H. Dow at Paris, (copy to Damascus)</p> <p style="text-align: center;">Co. agree</p> <p style="text-align: center;">Finance Dept. a/c</p> <p style="text-align: center;">H.D.</p> <p style="text-align: center;">3/11</p> <p style="text-align: right;">10 Oct. 29</p>	
<p>(Action completed)</p> <p>Dec 14</p> <p>(Index)</p> <p>16/2/49</p>		
<p>Next Paper</p> <p>E 13423</p>		

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Tel.: WHItchall 2366

Encl.

Communications on this subject
should be addressed to—

THE UNDER SECRETARY OF STATE
COLONIAL OFFICE
LONDON, S.W.1

and the following
Number quoted: 75036/301/48.

COLONIAL OFFICE

13413

CHURCH HOUSE
GREAT SMITH STREET
S.W.1

15th October, 1948.

Your References.....

Sir,

I am directed by Mr. Secretary Creech Jones to refer to your communication No. E.12487/1102/31 of the 4th October enclosing a copy of a despatch from H.M. Charge d'Affaires, Damascus, forwarding a letter from the Executive Committee in Damascus of former Palestine Government Arab officials, concerning former Arab officers of the Palestine Government who are at present in Jewish areas in Palestine.

2. While Mr. Creech Jones sympathises with the position of these officers and would welcome any steps which could be taken to secure their release, he feels however, that the question whether any such steps would be feasible at the present time is one which must be left to the Foreign Office to decide.

3. As regards the question of making payment of retiring benefits due to former Palestine Government officers to their families, this question is already under consideration but it has not yet been possible to make any satisfactory arrangements. The matter is, however, being pursued although there are very grave difficulties in instituting arrangements to meet this request.

THE UNDER SECRETARY OF STATE,
FOREIGN OFFICE.

I am, Sir,
Your obedient Servant,

W. W. Clark
(W. W. Clark)

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FOREIGN OFFICE, S.W.1.

29th October, 1948

(E 13413/1102/31)

Dear Clark,

Please refer to your official despatch No. 75036/301/48 of 15th October about the plight of former Arab officials of the Palestine Government at present in Jewish areas of Palestine.

I enclose a copy of a letter I am writing to our Consul-General at Jerusalem, who is at present in Paris. We shall do what we can on the lines of this letter but I should like to ask you to make every effort to pursue the question mentioned in the third paragraph of your official letter. It seems to us important to do what we can to pay some of the money due to dependants of the officials concerned outside the Jewish area while the main issue is being pursued in Paris.

(J.G.S. Beith)

W.W. Clark Esq.,
Colonial Office.

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FOREIGN OFFICE, S.W.1.

29th October, 1948

(E 13413/1102/31)

I send you herewith a copy of a petition addressed to us through the Legation at Damascus by the Executive Committee of the Arab Officers of the Ex-Palestine Government in Syria regarding the plight of former Arab officials of the Palestine Government now in the Jewish area.

I understand from the Colonial Office that the Palestine Accounts Clearance Office have done all they can to make the payments due to the officials of the Mandatory Government but that it has naturally enough been difficult in present circumstances to get hold of the people concerned and pay the money over. The Colonial Office say that the necessary funds are available in Palestine banks * but they do not think that anything more can be done without the co-operation of the Jewish authorities.

There is also the question of securing the release of these Arab officials from the Jewish

* Transfers of up to £1m. have been made to the ^{area/} two Consulates-Gen.

Sir Hugh Dow,
U.K. Delegation to the General Assembly,
Paris.

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area or, failing that, the payment of the money due to them to their dependants in Arab territory. We are urging the Colonial Office to do what they can on the last count but any further action seems to depend either on Jewish goodwill or United Nations intervention. Would you be good enough to discuss the matter with Harriet and Bealey and consider whether there is anything we can do to pursue the matter in Paris. There does not seem any hope of our getting results locally.

(J.G.S. Beith)

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<p>PALESTINE B E</p>		
<p>Registry Number E13423/1102/31</p> <p>TELEGRAM FROM Nazereth Committee of ex Palestine Govt Employees.</p> <p>Dated 14th Received in Registry } 18th Oct.</p>	<p><u>Nazereth Committee of ex Palestine Govt.</u> <u>Servants ask for Mr. Marriot to arrange in</u> <u>London for their dues to be paid.</u></p> <p>Request reply.</p>	
<p>Last Paper.</p> <p>E13413</p> <p>References.</p>	<p style="text-align: center;">(Minutes.)</p> <p>I have spoken to Mr Clarke C.O about this & he tells me that you know all about it and will be able to answer it.</p> <p>Mr. Marshall Finance Dept.</p> <p style="text-align: right;">E. Watkins. 23/10</p> <p>Action on this is proceeding on XFO156(47/48). H.W.M. 2/11</p> <p style="text-align: right;">aw 15/11</p>	
<p>(Print.)</p> <p>(How disposed of.)</p>		
<p>(Action completed.)</p> <p>CS 17/11</p>	<p>(Index.)</p> <p>14/2/49</p>	
<p>Next Paper.</p> <p>E13 664</p>		

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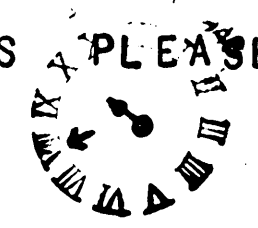
EXCIVIL SERVANTS NAZARETH SEIZE OPPORTUNITY OF

G C HAIFA PRESENCE IN LONDON REQUEST ARRANGEMENTS

BE MADE WITH HIM FOR IMMEDIATE PAYMENT OF OUR

BENEFITS PLEASE ADVISE DISTRICT COMMITTEE

The first line of this Telegram contains the following particulars in the order named :
1. Name of Message, Office of Origin, Number (any),
2. Date, 3. Time, 4. Name of Recipient, 5. Name of Sender, 6. Name of Office of Destination, 7. Name of Office of Origin, 8. Name of Office of Destination, 9. Name of Office of Origin, 10. Name of Office of Destination.



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EASTERN DEPARTMENT

252
E 13664

Registry Number E 13664/1102/31
FROM Mr. Gutch, C.O.
to Miss Waterlow.
No. 75872/159/39/11/48.
Dated 21st
Received in Registry } Oct.
22nd

Payments to Palestine ex Officials.
Colonial Office memorandum on situation.
answers points in Arab Office Pamphlet No. 8.
and suggests the Foreign Office should reply
to it.

Last Paper
E 13423

References

(Print)

(How disposed of)
reft. Edward Atiyah
Arab Office
from Miss Waterlow
(encs as at Xp) Oct 29
Lays. J. Gutch. 80.
1 Nov. not

(Action
completed)

(Index)

CS 1/x1

14/2/48

Next Paper

(7658/1483/31) 49
E 14212

(Minutes.)
I attach a draft letter to the head
of the Arab Office.

E. Dept.

Waterlow
25/10

Les Benth
Oct. 25

Good

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Colonial Office,
Church House,
Great Smith Street,
S.W.1.

My Reference 75872/159/39/11/48.

Your Reference

13664

21st October, 1948.

Dear Miss Waterlow,

Thank you for your note of the 19th October enclosing a copy of the Arab Office's Pamphlet No. 8. As I explained to you on the telephone the statements on pages 24 - 25 of this Pamphlet are certainly not true: they are a gross misrepresentation of the facts. I enclose a note on the whole question of payment of benefits due to Palestine ex-officials. You will note that the majority of Palestine officials were paid advances of salary in April to carry them up to the termination of the Mandate on the 15th May plus a payment of up to one month's leave salary depending on the officer's status. Most of these payments were made in cash. Some payments were made by cheque at the individual's wish and where the recipient has not been able to cash the cheque, arrangements have now been made for cash payment on production of the uncashed cheque.

As you will see from the attached note about £1½ million has been made available for payments at the various Middle East posts since the beginning of September and a large proportion of this has already been paid out. Payment will be continued as rapidly as circumstances permit until all our obligations have been met. x

I suggest that these points should be made to the Arab Office and that it should be represented to them that so far from shewing indifference on the part

MISS WATERLOW,
FOREIGN OFFICE.

/of

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of the Mandatory Government, the arrangements for payment which have been made in the face of very great difficulties reflect considerable credit on those responsible for them. It might also be suggested to the Arab Office that misrepresentation of facts, such as that contained in pages 24 and 25 of their Pamphlet, is not calculated to help the cause of the refugees.

So far as I am aware, the Colonial Office has had no approach from the Arab Office in this matter and no request from them for information.

You agreed that the letter to the Arab Office might more appropriately be sent by the Foreign Office than by us.

Yours sincerely,

John Gutch
(J. Gutch)

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**PAYMENT OF PENSIONS ETC. TO NON-EXPATRIATE
STAFF OF THE FORMER PALESTINE GOVERNMENT.**

The benefits due to non-expatriate staff at the termination of the Mandate fall into the following main categories:

- (a) Earned leave salaries.
- (b) Service pensions and gratuities.
- (c) Statutory additions to (b) on account of abolition of office.
- (d) Statutory payments to Provident Fund staff.
- (e) Disturbance grants - ($2\frac{1}{2}$ x annual leave entitlement).
- (f) Special compensation additions to pension commutable at the officer's option to a lump sum payment.
- (g) Special compensation borne to Provident Fund staff.

It should be explained that (f) is an alternative to (c) at the officer's option and is in some cases more favourable. (e), (f) and (g) are, however, not payable where the officer has secured - (or has unreasonably refused) - continued employment by a successor authority on terms equivalent to those enjoyed under the Mandatory Government. Moreover the right to opt for a lump sum payment in commutation of additional pension under (f) has been temporarily withheld until the prospects of employment by a successor authority can be more clearly gauged.

2. It was the intention of the Palestine Government to complete payment of (a), (b), (c) and (d) - (so far as non-recurrent items were concerned) - before the 15th May. The rapid deterioration of the situation, however, leading to interruption of communications and depletion of staff, prevented this being done although the majority of officers were paid in early April advances of salary up to the 15th May plus their annual leave entitlement - (i.e. up to a month's pay in addition).

3. Every effort has been made by the Palestine Accounts Clearance Office in Cyprus to secure payment of (a) to (d) as soon as possible after the establishment of the office in Cyprus, but the difficulties have been formidable. There

/was

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was delay in the arrival of the records and the dispersal of most of the Palestine Arab ex-officials as refugees throughout the Middle East introduced complications of currency exchange, payment machinery, identification of payees and so on. The object of concentrating on (a) to (d) and leaving (e) to (g) until later was to try to ensure that those concerned should get something to carry on with as quickly as possible, leaving the special compensation payments to which, as explained above, various strings are attached to be worked out later. Action is, however, now going ahead for payment of (e) - (disturbance grants) in addition. ~~[The matter is explained in more detail in the attached memorandum from Mr. Stewart.]~~

4. The present position is that paying officers have been attached to ^{at} ~~the Middle East posts~~ at Beirut, Damascus, Amman, Jerusalem and Cairo and funds as required from time to time are remitted to the Consular No. 1 Accounts at banks in these centres. Payments are then made to individuals with the assistance of local associations which ex-officials have been encouraged to form in each country. These arrangements could not be completed until the end of August, but during September and October the following amounts have been made available to the various posts for payment:

Amman	£130,000	
Beirut	£350,000	
Cairo	£140,000	
Palestine (Haifa/Jerusalem)	£800,000	£1,420,000

Damascus have been making payments from funds already in their hands.

With the exception of those relating to Palestine itself most of these amounts have actually been paid out to ex-officials. They represent payment of (a) to (d) to the
/majority

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majority of Arab staff in non-Jewish areas whom it has been possible to locate and identify - i.e. some 16,000 Arabs: about 4,000 have not yet been located.

5. In Palestine itself it has been very difficult to make arrangements for payment except in the Arab part of Jerusalem itself. The Gaza/Beersheva area has been isolated from any Middle East post and plans for payment from Jerusalem or Amman fell through. Payment through Egypt has been under consideration but ~~I am afraid~~ recent developments ~~will~~ ^{have} upset that and make any progress impossible for the moment. In Jewish Palestine the Consul General at Jerusalem and Haifa have met with difficulties and obstruction from the Jewish authorities. At Haifa the relevant correspondence between the Palestine Accounts Clearance Office and the Consul General was intercepted and stolen and the Consul General has now temporarily returned to this country. The machinery for payment in Jerusalem is complete, but ~~I am not sure~~ ^{it is not clear} whether actual payment has yet begun. So far as the Clearance Office is concerned all payment forms for identifiable payees in both the Haifa and Jerusalem areas are completed.

6. Payment of (e) - (disturbance grants) - will begin at the end of this month against a certificate from the individual that he has not secured re-employment with a successor authority etc. and is likely to involve a maximum of about a further £1,000,000.

7. As regards the special compensation items (f) and (g), ~~for the reasons explained by Mr. Stewart, I think we should agree to these being held over for the time being.~~ The Clearance Office have, however, been instructed to prepare in respect of each non-expatriate officer a record card showing the various entitlements due and payments made. It will thus be possible without difficulty

/to

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to make the necessary adjustments in each case, when the time comes, through the payment machinery already established.

8. Funds for these payments are at present being provided by the Treasury from the Civil Contingencies Fund, but Parliamentary approval will have to be sought for a Spring supplementary to cover the expenditure which is of course (in theory at any rate) recoverable from the successor authority or authorities. As regards the more distant future my suggestion is that when financial negotiations are eventually undertaken with the successor authorities, His Majesty's Government should aim at securing that a sufficient capital sum is set aside to cover the recurrent cost of Palestine pension payments both for expatriate and non-expatriate staff. The amount required would be a matter for actuarial calculation.

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END
25/10

Draft.

to
Mr Edward
Atiyah,
Arab Office,
92 Etna Place
SW1
from
C. Waterman.

C.O. note enclosed
within, as amended.

C.P. to Mr. J.
Gatch, C.O., without
enc.

Mr. ~~Butler~~ Beith
E-Dept. first

OUT FILE + I.C. 259 28
Dear Mr. Atiyah, We have read your Pamphlet.

No. 8 - "A Human Disaster" - 29/10
about the Arab refugees with
very great sympathy & interest
in the Foreign Office. The facts
of the situation have, of course,
been fully reported to us by
our Mission in the Middle
East, but the eye witness
descriptions given in this
pamphlet provide a moving
commentary on those facts
which has been helpful to us.

There is, however, one
section of the pamphlet which
does not, ~~from one point of~~
~~view,~~ constitute a correct
presentation of the facts.

This is the statement on
pages 24-25 that the British
H.M.G. have failed to take
steps to meet their obligations
to the Arab employees of the
former Mandatory Government.

I enclose herewith a note
written by the Colonial Office
on this subject. You will see
from this that [C.P. & 15 & 16
letter within].

We ~~very much~~ feel
sorry, therefore,

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~~that you will agree that~~
 far from showing indifference
 on the part of the Marketing
 Government, as is suggested
 in your pamphlet, the arrange-
 ments for payment must have
 been made in the face of
 very great difficulties reflect
 considerable credit on those
 responsible for them.

In the light of these facts
 we very much hope that you
 will agree to publish an
 amended version of the ~~section~~
 passages in question on
 pages 24-25 of the pamphlet.

BABS

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FOREIGN OFFICE, S.W.1.

29th October, 1948.

No. E13664/1102/31.

RESTRICTED.

Dear Mr. Atiyah,

We have read your Pamphlet No. 8 - "A Human Disaster" - about the Arab refugees with very great sympathy and interest in the Foreign Office. The facts of the situation have, of course, been fully reported to us by our Missions in the Middle East, but the eyewitness descriptions given in this pamphlet provide a moving commentary on these facts which has been helpful to us.

There is, however, one section of the pamphlet which does not constitute a correct presentation of the facts. This is the statement on pages 24-25 that His Majesty's Government have failed to take steps to meet their obligations to the Arab employees of the former Mandatory Government. I enclose herewith a note written by the Colonial Office on this subject. You will see from this that the majority of Palestine officials were paid advances of salary in April to carry them up to the termination of the Mandate on the 15th May plus a payment of up to one month's leave salary depending on the officer's status. Most of these payments were made in cash. Some payments were made by cheque at the individual's wish and where the recipient has not been able to cash the cheque, arrangements have now been made for cash payment on production of the uncashed cheque.

As you will see from the attached note, about £1,500,000 has been made available for payments at the various Middle East posts since the beginning of September and a large proportion of this has already been paid out. Payment will be continued as rapidly as circumstances permit until all the Mandatory

Government's/

Edward Atiyah, Esq.,
Arab Office,
92, Eaton Place, S.W.1.

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Government's obligations have been met.

We feel, therefore, that far from showing indifference on the part of the Mandatory Government, as is suggested in your pamphlet, the arrangements for payment which have been made in the face of very great difficulties reflect considerable credit on those responsible for them.

In the light of these facts we very much hope that you will agree to publish an amended version of the passages in question on pages 24-25 of the pamphlet.

(C. Waterlow) (Miss)

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Pamphlets on Arab Affairs—No. 8

**A HUMAN
DISASTER.**
The Arab Refugees

Published by
THE ARAB OFFICE, LONDON
92, Eaton Place
S.W.1

371 / 68652

A HUMAN DISASTER

The Arab Refugees

[illegible]

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INTRODUCTION

Magnitude of the Disaster

THE BRITISH PUBLIC IS perhaps the most sensitive in the world to human suffering and the most responsive to a humanitarian cause. Nowhere in the world did the sufferings of the Jews in Europe arouse so much human sympathy and moral indignation as in Britain. Millions of English men and women came to champion Zionism without any understanding of its political nature or implications in regard to the Arabs, merely because they were deeply moved by the plight of the Jewish refugees in Europe and because they believed, or were made to believe, that Zionism would bring succour and comfort to those refugees in a new home without causing harm to anybody else. The establishment of a Jewish national home in Palestine was thus looked upon by the British public as a magnificent humanitarian scheme, which among other things would solve a grim refugee problem. This at least was the innocent view, the view of those who did not know the facts and did not foresee the results, and who merely wanted to do good in a misguided way. There were others, however, in this country and elsewhere who were presented with the facts and begged to consider them, but who refused to do so, because they had a bad conscience about the Jews in Europe, but no real charity for them in their hearts: because they wanted to solve the Jewish refugee problem without doing anything themselves for these refugees, and they thought that if they supported Zionism all the displaced Jewish persons in Europe could be sent to Palestine instead of having to be admitted to their countries where they did not want them.

The result of this support for Zionism, whether ignorant or informed, innocent or guilty has resulted in a terrible tragedy, a tragedy long foreseen by its Arab victims. Ten years ago, George Antonius concluded

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his "Arab Awakening" with the following words: "The logic of facts is inexorable. It shows that no room can be made in Palestine for a second nation except by dislodging or exterminating the nation in possession." This is precisely what has come to pass. The attempt to establish a Jewish state in Palestine has directly resulted in the expulsion from their homes of 500,000 Arabs or nearly one-half of the total Arab population of the country: the attempt to solve the Jewish refugee problem in Europe at the expense of Palestine and of Palestine alone has resulted in the creation of a more ghastly refugee problem in the Arab countries. The number of the Arab refugees is today three times that of Jewish displaced persons in Europe and their condition is infinitely worse. Few people in England seem to realize the reality of these facts, or the full horror of what has happened.

How it Came About

Nor do the British people seem to know how this tragedy has come about or who is responsible for it. The 500,000 homeless Arabs are called "refugees" and people imagine that they became homeless as an unfortunate result of the fighting in Palestine. Many, indeed, under the influence of Zionist propaganda, believe that it was the Arab States or the Arab leaders who caused the tragedy by encouraging the Arabs of Palestine to leave their homes when the fighting started. It is alleged by some Zionist propagandists that the Zionists did not want the Arab population to leave and that they appealed to them to stay and gave them assurances that if they did so no harm would befall them. The answer to these baseless allegations is that such brutal massacres as that of Deir Yassin and the other atrocities committed by the Zionists against the civil Arab population of Palestine in the early days of the fighting are much more likely to persuade people what course of action they should take than insincere verbal assurances uttered for the benefit of the gallery of

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world public opinion. The object of those massacres was precisely to bludgeon the Arab population into panic and flight and many Arabs, seeing the alternatives before them as either extermination or departure, left their homes to seek refuge in the surrounding Arab countries. But this is not the whole story. Very many of the Arab refugees did not panic or leave their homes of their own free will. These did not flee but were **expelled** or **deported** by the Jewish military authorities when they occupied their towns or villages. It happened many times (and for this there is the unimpeachable testimony of Brigadier Glubb Pasha) that the Jewish commanders, on entering an Arab district ordered the inhabitants to leave it within a few hours and even forbade them to take away any of their belongings.

Deliberate Zionist Policy

There is thus no doubt that it was the deliberate intention of the Zionists to get rid of the Arab population in the areas which they wanted to include in the Jewish state. The fact that the Jewish authorities are now refusing to allow these refugees to come back to their homes and that they refused Count Bernadotte's request to this effect confirms that it is a matter of calculated cold-blooded policy on the part of the Zionists to eliminate from their midst the indigenous Arab population (looting their property in the process) in order that the Jewish state shall be exclusively Jewish and that there shall be more room in it for more and more Jewish immigrants. The Zionists have always said (Dr. Weizmann proclaimed it as far back as 1918) that they wanted Palestine to be as exclusively Jewish as England is English or America American. They have always said that they want to bring into Palestine millions of Jewish immigrants. When the Arabs protested in the past that these objects could not be achieved except by their extermination or eviction, the Zionists denied this vociferously. Now they have accomplished it.

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Impact on Arab Countries

Walking away on foot without any of their belongings; or, from the heat and weariness of the march, having to drop anything they may have tried to carry away when they started, 500,000 of the Arab inhabitants of Palestine have either fled from terror or been driven away by order from their homes in the towns and villages which they had inhabited peacefully for centuries. In tens of thousands they wandered about the barren countryside of Palestine, with very little food and no shelter except rocks and trees. Many of them left by sea from Haifa, Jaffa and Acre in small rowing boats, some of which were wrecked on the way. Those who were able to make the journey, reached, after days of walking, the territories of the Lebanon, or Transjordan, Egypt or Syria; and some have trekked as far as Iraq. The Arab States and private organizations in the Arab countries did what they could to provide relief for them, but the problem was so great and its impact so sudden that their internal means and resources were insufficient to deal with it and the conditions in which the refugees had to live in some places and for many days were appalling. Sir Raphael Cilento, the U.N. Refugee Expert, described what had happened as "a human disaster comparable to the Japanese and San Francisco earthquakes." Monsignor Arthur Hughes, the Papal Internuncio, declared in Cairo a few days ago that if prompt aid was not given, 200,000 of the refugees would perish in the coming months from malnutrition, exposure and disease.

Of the total number about 200,000 are still in the Arab areas of Eastern Palestine and these are the most difficult to succour, because of the absence of an organized government to look after them on the spot. These, together with the 80,000 who have been able to make their way to Amman are the liability of the Transjordan Government. In Syria, there are about

110,000, and in the Lebanon, 60,000 or 70,000. The rest are in Egypt and Iraq.

But dry facts and figures cannot convey anything like a true impression of the appalling sufferings of these refugees, the dangers to which they are still exposed or the extent to which they are taxing the resources of the Arab populations and governments with whom they have sought refuge. This can be only realized or conveyed by somebody who has seen it, and in the following pages we publish a series of eye-witness accounts from an English friend who has toured most of the refugee districts in Palestine, Transjordan, Syria and Lebanon, and has kindly sent us her impressions.

EYE-WITNESS ACCOUNTS

FROM AMMAN,

19th August, 1948.

"We are at the end of our tether as regards the refugees," said the Minister of Defence to me on my arrival in Amman to-day. "Bread alone is costing the Government £8,000 a day; the only money we have received so far for the refugees has been the £50,000 sent by the Arab League. We have done what we can but there is a limit to our resources—and we have already reached that limit."

To realize what this means for Transjordan one must first take a walk in Amman. You do not have to move more than a few steps before you become aware that the city is horribly overcrowded. The narrow streets are crammed with refugees, some queuing up for bread rations, some crowding round radios to hear the latest news of the fighting in Jerusalem, some moving from shop to shop looking for jobs, others sitting miserably at one of the poorer cafes. Most of them have not a penny in their pockets and depend entirely on the small weekly ration of flour

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and the few piastres which the relief Committee is allowing each family.

People in Amman have done their utmost to cope with the problem. In almost every house two or three rooms have been given to refugees and entire middle-class families are living in one room each. Government and other schools have been made into temporary homes : these have now become full, and in the ground around the Greek Orthodox Patriarchate I saw about 100 families from Jaffa and Ramleh camping on the rough stones and in absolute misery. A woman standing outside a sort of tent made of sacking begged me to enter inside. I did so, and found the stoney and dusty earth had been covered with reed mats; bedding which the family had managed to bring was piled neatly to one side; in another corner were the cooking pots. The family was that of a small merchant of Jaffa whose business had prospered until the day of the flight from Jaffa. Now his house in Jaffa lies in ruins; the merchant and his two elder sons are held prisoner by the Jews. The mother, her two daughters and small son live in this tent, all that remains of their home. The mother pointed to something in a cloth on the floor. I knelt and looked at it and found in it a tiny baby, hardly bigger than one's hand. "He is sick" said the woman, "please give medicine." I explained that I was not a doctor, whereupon the woman collapsed in tears on the floor crying, "What are we to do ? We have no milk. Our house is gone. Our men are gone. We came here in a truck. We tried to help ourselves, my daughters keep the tent clean like a house. But we are not gypsies and we cannot live like gypsies. We want to go home."

I tried to comfort her, but it was, I knew, not much use to bring a doctor for the baby. The little creature had been born prematurely in Ramleh after the mother had been driven in a truck from Jaffa. It would surely die.

From this unhappy spot we proceeded to a Secondary School where the scene was less despairing but equally urgent. Here were mostly young children and their mothers; they gathered round excitedly asking : "When do we go home ? Where do we go to get more food to eat ?" They were very hungry. They were eating one loaf of bread a day and a little vegetable. Most of them had only one garment to wear. I asked one little boy if he would like a sweet I had in my pocket, but he replied : "No. I want my mother. I want my mother," and burst into tears.

His mother was shot dead two months' ago in the streets of Jaffa.

In the narrow streets of Amman you may see refugees from Palestine everywhere. The roads are blocked with the trucks bringing them and with other trucks taking flour to those camping at Zerqa and Jericho and right up to Nablus and Bir Zeit and Ramullah. For it is not only the 70,000 or more refugees in Transjordan itself which must be kept alive from here: there are the 200,000 in Eastern Palestine who have no Government of their own to care for them and who therefore receive what little they do from Amman. And when it is realized that the country of Transjordan itself has a total population of less than 400,000 it becomes clear why the Government of Amman is desperate. Its funds, supplies and services are strained to the utmost and can do no more. It has done its best : everywhere villagers and towns' people alike have opened their doors and their gardens, and taken people in. But now there are so many that the strictest rationing cannot make the food go round. Moreover, there is the serious problem of sanitation and health : in Amman and the camps in Transjordan generally, water is scarce (even in the Hotel Philadelphia there is no water for baths at all) and since there are not sufficient latrines in the city and elsewhere, the ground is rapidly becoming filthy. Flies cluster everywhere in clouds : local spraying

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with D.D.T. does not disperse them : Probably only large scale spraying from the air such as was done in Egypt during the cholera epidemic could have any immediate effect.

This morning walking early for my interview with His Majesty King Abdullah, I took a stroll round the old ruined Roman theatre of Amman. Suddenly, to my surprise, I come upon a cave in the rocks and inside I found a family from Lydda in Palestine cooking their breakfast of bread ! Then I discovered several other families living in the same way. These people had come to Amman after wandering round helplessly in search of shelter. They had not found even a tent or a bit of sacking to cover them and so they had climbed up the steps of the old theatre and taken refuge among the large old rocks. Probably of all the tragedies the people of ancient Philadelphia saw enacted in this theatre, none was more moving than this tragedy of a simple people, mainly fellaheen, but with many townsmen among them, forced to abandon their humble homes to live like animals among the rocks of a Roman ruin.

From this scene I moved to the Palace of His Majesty, King Abdullah, high on the hill-top overlooking the city. His Majesty said : "I want the world to know the conditions to which these brave and long-suffering people have been driven. They are helping themselves and we are giving all we can. But it is not enough. We must have immediate help from humanitarian movements and organisations abroad so that the people may live to return to their own homes. To us in Transjordan these Arabs are not refugees. They are our brothers and sisters and this country is their country. What we do for them is not charity; it is our duty, our debt to them for what they have suffered at the hands of the Zionists."

"How does your Majesty see the solution of the refugee problem," I asked.

"By the return to their own homes and the establishment of ordered government," replied His Majesty promptly ; "and I assure you these people *will* be returned to their own homes in their own towns and villages.

"Do you envisage an early political settlement, then ?" I asked.

"Inshallah," replied His Majesty. "The Jews are generally a reasonable people. They know that they cannot live in peace if they live surrounded by the sea on one side and on the other three sides by hostile Arab people. Their only hope is in reaching a settlement. Besides the Jews too are suffering from the war and this state of affairs.

Regarding immediate aid to the refugees King Abdullah said that he had received a message from America saying that some bales of clothing had been despatched to the Palestine refugees and that tents and medicines had been offered by Britain, which was something at least.

At present relief is administered through a Committee presided over by the Minister of Justice. Two Palestinians are also playing an active part. Their main job is to collect statistics of the numbers—a very difficult task as the refugees are constantly moving—to arrange with various departments for the supply and transport of the bread or flour, tents and any medical supplies available, and to co-ordinate distribution with the local Committee in Ramullah district.

As the problem grew, the Committee has tried to give other organisations special tasks. For example, there is a woman's committee which tries to distribute milk to mothers and children; another which tries to distribute clothes. These committees, however, are hampered by lack of funds and in fact cannot function much longer as their resources are on the

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point of exhaustion. With some help from outside, however, these organisations do form a basis upon which relief on a bigger scale could be effected.

It is completely untrue to say that the Arabs are not helping themselves and each other. They have made great efforts and have achieved considerable results as both U.N. and Red Cross officials testify.

FROM AMMAN,
20th August, 1948.

When Sir Raphael Cilento, International Refugee expert who was here two weeks ago with Count Bernadotte, asked for statistics of immediate needs for 200,000 refugees dependent on aid from Amman, the relief Committee here found they had no accurate figures available.

They set to work immediately, however, and made a sample investigation of the conditions of 508 families being sheltered in or around Amman and Sweila. As a result of this investigation the following facts were revealed :

Of the total of 3,453 persons in the 508 families :

- 420 were babies under 2 years
- 603 were babies between 2 and 5 years
- 118 were pregnant women
- 246 were nursing mothers
- 1,257 were old people (*i.e.*, 60 years or above)
- 1,809 were above 6 years

Of all those investigated, 75 families were sheltered in tents, 325 were temporarily sheltered in Government schools, 108 families were shelterless. Thus by October when the schools re-open all except the 75 families in tents will be absolutely shelterless. An

estimate of minimum immediate requirements for these 508 families alone was as follows :

Beds	1,600
Blankets	4,100
Pillows	4,000
Underclothing ...	15,212
Shirts and dresses ...	11,266
Shoes	1,929 pairs

Of medical supplies the most urgent things needed were : Penicillin, sulphanomides, vitamins and dried milk, apart from the various vaccines against infectious diseases.

Sugar and fats were required in quantities, but the **MOST URGENT AND IMMEDIATE NEED OF ALL WAS FLOUR AND BREAD.**

Transjordan's Minister of Finance said to me this morning : " It is only a matter of days before we shall be unable to continue supplying these huge numbers of refugees with bread. We have exhausted every penny. I do not know what we shall do after seven days or perhaps less. Already we have a deficit; private funds too are exhausted. *This item must receive the direct and immediate attention of the world relief organisations.*

£50,000 has been sent by the Arab League. A gift of £20,000 has just been sent by the Saoudi Arabian Government. £17,000 was collected from merchants in Amman and smaller sums from other committees and organisations. But the inadequacy of these sums—though admirable as a proof of the Arabs' efforts to help themselves—may be judged when it is known that bread alone (which is insufficient even now) costs the Transjordan Government £8,000 daily !

These are only immediate needs. Beyond these are the big questions of how long the refugees can be kept going with just those things; whether they will

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be returned to their homes before winter and if not, where they shall go to avoid the wind, rain and cold. This is also the psychological problem : people cannot endure this sort of misery for long without yielding to despair. Children must be got back to school by autumn and all young people, men and women, must have some work to do. Already the Transjordan Government has been liberal in allowing Palestinians to take jobs where they can find them. It has enrolled numbers of Palestinian teachers for work when the schools re-open (including 60 women teachers) and there is a plan to employ 10,000 Palestinian labourers on road-building. Obviously, if the refugees were to remain away from their homes, whether in Transjordan or in Eastern Palestine, for any length of time, they must be employed in some productive way so that the Palestinians themselves will not become demoralised and their condition become a crushing burden on those helping them.

FROM RAMULLAH, PALESTINE,
20th August, 1948.

I have just made one of the most distressing journeys of my life. Pursuing my search for Arab refugees I left the overcome city of Amman and drove through the deep gorges to the Jordan Valley. After crossing the Allenby Bridge which marks the boundaries between Transjordan and Palestine, I came to what used to be one of the smallest and sleepiest little villages in the world.

To-day, this same Jericho lying 300 metres below sea-level, has suddenly been expanded into a busy market place swarming with people and is now the home or centre of some 10,000 refugees from further west. Moreover, if the Palestine refugees are not able to regain their own homes before the end of September all those tens of thousands now camping

in the open or temporarily housed in schools will have to be shifted down to the plain around Jericho. For in winter Jericho enjoys a dry, warm climate. all those now camped on the windy plains of Zerqa in Transjordan or around Ramullah, Bir Zeit and Nablus will have to be brought away from the wind and rain and allowed to live in vast tent cities in the plain. This move will itself create enormous problems of supply and sanitation, among other things, but at the moment Jericho is the only hope of survival for the 200,000 Palestine Arabs now shelterless or in camps on the hillsides of their country.

At present the majority of the 10,000 around Jericho are living in tents provided by the Arab Legion or by friendly Bedouins. Under supervision of the Transjordan police the tents have been erected in rows along the foothills and beside the fast-flowing little stream from the Ain behind. Once arrived, the refugees have done their best to set up house with the few belongings they brought with them. Some have built ovens. They receive a weekly ration of flour and a small sum of money per family with which to buy vegetables or fruit which just now are cheap and plentiful in Jericho. Meat, eggs, butter or milk are unknown. One or two cafe owners from Jaffa and Lydda who managed to bring a few things with them have set up a rough cafe under a tent into which the refugees crowd to hear the daily news of fighting in Jerusalem or of Count Bernadotte's activities (which so far have done then no good). This is the only thing to be done in the camp : all around is bare hill and plain; the gardens of the nearby town are already crowded out.

In this camp was an Arab married to a Jewess. The Jewess, and her daughter by a previous marriage to a Jew, were allowed to live in the camp and were treated exactly as the other refugees. The daughter's husband is in Nathania and believed to be in the Hagannah.

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Nearby I came upon two men walking on crutches. They were two of the many civilians of Arab towns and villages who had fallen victim to Zionist bullets. In another tent was a peasant woman from Jaffa district pushing a rough cradle containing a tiny pair of girl twins. The mother had been delivered of them on the roadside along the way. She wept as she fanned off the clouds of flies settling on the tiny faces. There was no milk and the babies were wrapped in strips of cloth which the mother had torn off her own few articles of clothing.

From Jericho we climbed the long winding road to the walls of Jerusalem. As we approached the Holy City we could hear the sharp rattle of Machine guns and we were forced to cut across country to avoid stray bullets from Jewish snipers. From there we proceeded to Ramullah, formerly one of the smallest and one of the most beautiful villages of Palestine. To-day it is the Arab second front behind Jerusalem. The broadcasting station operates from there and refugees occupy every garden and building. The big Friends' Boys' School has been turned into a temporary hospital and clinic under the organisation of the Egyptian Red Crescent. The doctor-in-charge showed us round the hospital. Among the patients were two blind men who had been shot in the streets by the Jews. One of them had had a son who had also been shot, and killed, while guiding his father to safety. There were several small children suffering from horrible bullet wounds and any number of newborn babies who would certainly have died had not the Red Crescent been able to rescue the mothers in time. Perhaps most moving of all was the case of an old man I saw entering the hospital with a small parcel of food in his hand. The doctor explained that this old man was on his way to see his son who was lying in hospital with a serious wound. The man had had seven sons; all except the one now in hospital had been killed by the Jews. The doctor

had given orders that the old man be allowed to enter and see his son whenever he liked, his suffering had been so great and this was the old man's only consolation.

No words can describe too highly the splendid work these young Egyptian doctors are doing among the Palestine refugees and wounded. Of medicine and equipment they are in sore need, but of courage and determination they lack nothing.

Proceeding on our way from Ramullah to Bir Zeit we passed the shattered ruins of the two former Jewish colonies of Nebi Yacov and Colonia which were attacked by the Arab forces last May. Then down the hillsides, now covered with bright green vines, we came upon the most astonishing picture yet seen. Along the entire hillside from Bir Zeit to Jifha in the valley stand row upon row of olive trees—and under each olive tree, one row below another, was camped an entire family! One's first impression is that a vast army of gypsies has come and settled itself suddenly in the midst of these quiet and prosperous villages. But then one sees that these people are not gypsies, but peasants and country folk who have fled here in tens of thousands bringing with them a few pieces of bedding, some cooking pots, a few odds and ends. Here, unlike at Zerqa or Jericho, the refugees are absolutely shelterless, they have no tents at all. Some have managed to get hold of some old bits of sacking. Many women have torn up their dresses in order to create a little privacy by hanging the strips between two bushes. As one moves towards them one sees wisps of a strange thin blue smoke rising from beneath many of the trees: this smoke comes from the wood of olive trees—the trees which the people of these villages have toiled many years to cultivate and on which they depend for their livelihood. This year the refugees are cutting down those precious trees and using them as fuel. The same applies to the rich crops of grapes

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and plums and figs—all is being consumed by the hungry refugees. It spells ruin for the local villagers. But they say only “tfadalu,”—help yourselves. “How can we ask them not to eat when they are starving?” A farmer asked me as he surveyed the ruins of his magnificent vineyards and olive trees, “they are our people. The whole world has turned against them. But what we have we give them, and may God protect us.”

Bir Zeit village, perched on its windy hill-top, is famous throughout Palestine for its nationalistic spirit. During the Arab revolt of 1936-9 Bir Zeit was a centre of resistance where fighters came secretly to meet each other, to get food and shelter and protection for their wounded. In those days British armoured cars would roar through the village in the day but at night they preferred to remain in Ramullah. It was safer. The Bir Zeit people have once again stood their ground and, though numbering only about one thousand, are now struggling to help along some 14,000 refugees. Those who think the resistance of the Palestine people has been crushed should go to Bir Zeit—if they can get there. For the people there have had more than enough of foreigners. “We don’t want to see any of their faces here,” I was told. And their opinion of Great Britain’s part in the recent disasters in Palestine is unprintable. They have no faith whatsoever in the United Nations.

Centre of the “resistance” in Bir Zeit is the director and owner of the two big secondary boarding schools there (one for boys and one for girls) which he and his sisters have been running for many years. He is now the leading member of the Committee set up to help the refugees in the districts of Ramullah, Nablus, Jenin and Tulkarm. He described conditions everywhere as “desperate and most urgent.” He said that there were many villages such as Bir Zeit swamped with refugees fourteen times the size of the population of the village itself. Accurate statistics

did not yet exist, but forms had been prepared and this work was being carried out swiftly. This should be completed within two weeks. Then the next urgent problem was tents. He had flown to Amman and to Damascus and had cabled to the Arab League, but no tents had arrived yet. He had heard that Britain had offered tents, but so far he had seen none of them. Without tents people could not be moved or they would just make other areas more overcrowded; with them they might be moved to Jericho or other suitable spots until the politicians finished talking.

“We are receiving some help in the form of flour,” continued my informant, “but it is only about one-fifth of what we need. We have distributed every bit of blanketing, bedding or covering we have, but if tents and coverings don’t arrive within four weeks I assure you *tens of thousands of these people will die*. I do not know what relief or how much will be forthcoming from International organisations. All I know is that it may be too late if ever it does arrive. The other day when we discovered typhoid and typhus cases among the refugees, we had to collect the money ourselves to open an isolation hospital at Ramullah; by prompt action on the part of our Committee, of the doctors and of Egypt in sending vaccine, the epidemic has been staved off for the moment. But as you can see we are in a dangerous situation. There are no sanitary arrangements for such vast numbers of people living in the open. They are polluting the soil and disease may spread. Relief of all kinds is far too slow.”

At the moment the great tragedy of the refugee question in Palestine is that there is no single authority responsible; there is no health authority, no police, nobody to prevent the refugees making things worse for themselves or to whom the refugees may appeal. They are a lost, abandoned people; only the initiative of the local populations themselves, plus what little

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help the Arab Governments have sent, has kept them going to this day.

"If relief is delayed," my informant concluded as I prepared to depart, "I fear an even worse disaster than you have seen. That is the demoralisation of these people. One cannot live neglected and hopeless for long without something happening to one's sense of dignity and pride. We are a tough and long-suffering people. But there is a limit to human endurance." As I drove down the hillside scattered with its pitiful groups—victims of decisions taken round a table in the air-conditioned comfort of Lake Success, I felt that the Western world's inhumanity and hypocrisy, and its inability live up to its professions of justice, had never been exposed more terrifyingly and shockingly.

FROM DAMASCUS,
22nd August, 1948.

The Syrians, like other Arabs, have gone all out to help the refugees from Palestine. You do not see the refugees blocking the streets as in Amman or crowding under olive trees as in Palestine itself. But they are here in Damascus in big numbers; there are about 100,000 distributed among the various towns of Syria.

The organisation of the refugees here is good. In the first place Syria was fortunate in that it had an organisation already concerned with aid to Palestine: this is the Committee for the Liberation of Palestine. Originally this organisation was concerned with the collection of funds for the purchase of arms and food and with the enrolling of volunteers for the defence of Palestine. When the refugees started coming over the frontier, this Committee also assumed responsibility for their welfare.

At first this was easy because the refugees came in small numbers. For these everything was provided immediately: good clothes, food, bedding, medicine and medical attention and shelter in houses. Food was given to them through a central kitchen where they could come and eat. No sooner, however, had the crowded and underfed refugees in Transjordan and elsewhere heard of the conditions here than thousands of them began to move into Syria from these countries and the relief work had to be hastily expanded to an enormous scale. The Government had to be called in to help with funds and is now contributing one-and-a-half million Syrian pounds monthly.

As I approached the office of the Palestine Liberation Committee, I found a busy crowd of people swarming round the house. They were all refugees coming to get information or relief in some form. Among them I noted a tall, old man with a tiny little girl in a clean frock. The father had brought her to be cared for by the Committee because the mother had been killed and the old man did not feel he could do more for the child. Later that same day when I visited the children's home run by the Womens' Relief Committee I found the little girl installed there and playing happily with the other children.

"Refugees are still coming from West and South," said the head of the Committee. "Our Committee has exhausted its own funds although we have been forced to replace the cooked food by money allowances: these are now 60 piastres Syrian (1/6) per day for each person above 10 years and 40 piastres Syrian for each under 10 years. Formerly we gave bread, fuel, soap, medicines and clothing free as well as the allowance. Now we have had to cut out the free allowance of bread and fuel. Up to the end of July we had distributed four-and-a-half million pounds in relief (about £500,000). To-day even the Government's allowance is not enough and in any case, even if we had the money,

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we should not be able to purchase the things here which are needed in such great quantities. We have bought up every piece of cloth in the markets here."

The Syrian Government has been very liberal in the matter of helping trained Palestinians to get jobs. I met a former Inspector of Schools in Palestine who had been offered a similar job in Syria. The Army, too, was accepting chauffeurs, carpenters and engineers, as well as labourers. A big proportion of the refugees, however, were youngsters and small children who must remain a direct burden on the relief organisations.

Before being allotted to the homes or new jobs the refugees in Damascus are first sent to the Receiving Camp where they are enrolled and where they remain for two or three days. Then families are then given places to live in while small orphan children are sent to special homes under the care of the Women's Committee.

FROM DAMASCUS,
23rd August, 1948.

This morning I visited the camp in Damascus where refugees from Palestine are first received before they are sent on to occupy houses or schools or to places in other Syrian towns or villages.

The camp is pitched in a delightful orchard next to Dar Al Mualimeen. The air is clean and cool and everything has been done to give the refugees a place to rest and clean up after their long journey from Palestine. At the office, which is a tent also, each family is enrolled and particulars taken: names, ages, and numbers in family; town of origin, occupation of male members, date of departure from camp and place where they live in Syria. This record serves many purposes. It not only enables Syrian authorities to keep check, but it also enables lost relatives to find

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their families, and people offering jobs to Palestinians may find workers through this record. Most of the refugees spend the few days in the camp under canvas but at times there are so many that some have to be sheltered in the neighbouring building of Dar Al Mualimeen. The tents are clean and provided with beds and bedding; there are no flies and D.D.T. is much in evidence. This is the first sign of organised sanitation I have seen on my tour of the refugee camps: proper hygienic latrines have been constructed in sufficient numbers, separate ones for men and women. A doctor visits the camp daily and any serious cases are transferred to hospital. I saw in one tent two men suffering from wounds received from Jewish gangs while coming out of Palestine: one man had had his leg amputated. While I was there a car came and the men were removed to hospital.

On arrival all refugees are given soap and baths and are made to wash their clothes; every few days all bedding is washed out and disinfected so that any danger of epidemic is warded off before refugees are moved to their new homes in Syria. Babies are given dried milk and receive special attention: as everywhere the refugees have numerous small children to each family. As one passes along the lines of tents pitched under the apricot and grenadine trees, one can see the relief written on the faces of the women at this calm refuge after the weary hours of fear and travelling. In one room of the Dar I came upon a good family from Nazareth who had lost everything and had arrived yesterday—a mother, her daughter, her mother and seven children among them.

In another tent was a family from Safad and in another a big family from Tiberias. Food, of course, is provided and clothes distributed to all who need them.

About 300 are passing through this camp daily: already 32,000 have passed through since the camp

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was organised. Those running the camp are mostly young educated volunteers who work not out of charity but as comrades to their brothers forced to flee from Palestine. The camps are guarded by former Palestine policemen, but in these camps guards are not really required at all. Once arrived there the people have hope and comfort and are at rest.

Great as this effort is, the Syrian authorities and Relief Committee are anxious about the future for numbers continue to pour in and funds are exhausted. The camp supervisor expressed the feeling of the Syrian people when he told me : " We would like to take all the refugees from Palestine ourselves : we would welcome them and do all we can for them. But we cannot. Without help from outside we cannot do more. We shall even have a job to carry on what we have so far undertaken."

Unlike Palestine and Transjordan, the question in Syria is not one of organisation but rather of funds and supplies. Here the machinery for relief is well established and working satisfactorily. Supplies and funds are running very low. These must be forthcoming urgently so that the work begun so well and carried out with such enthusiasm may not be wasted.

FROM BEYROUT,

25th August, 1948.

By comparison with the condition of the refugees in Syria, those in Lebanon are in very grave need of organised help on a large scale.

The reason for this is understandable. Like Transjordan, Lebanon was one of the places to which refugees came suddenly in great numbers and in the first panic of flight from Jewish terror. Its proximity to Haifa and Acre and the easy communications

along the coast made Lebanon the natural place of refuge for tens of thousands of terrified refugees.

Syria, on the other hand, received most of her refugees at second remove, so to speak, and was therefore better able to cope with them. In the Lebanon the numbers pouring in completely swamped the local relief organisations, making it imperative for the Government to take over responsibility at a very early stage.

As regards numbers I have not yet been shown any official statistics, but most estimates agree that there are some 70,000 Palestine refugees here, of whom about 30,000 are receiving food, clothing and shelter from Government relief sources. This figure, of course, excludes all those who have passed through Lebanon to Syria or elsewhere.

To-day, the relief organisation is controlled by a special Central Committee for Palestine Refugees, of which the Director-General of the Ministry of Interior is President. He told me that refugees were costing the Government 450,000 Lebanese pounds (about £50,000) per month for food alone, plus another 200,000 Lebanese pounds for purchasing of clothing and bedding materials and medical services.

" We are doing our utmost," he told me, " but our resources are strained to the utmost. Winter in the mountains is severe here and many things are required."

Temporary homes have been found for many in the districts of Shtaura, the Bekaa, and in the south around Sidon. The Government is negotiating to place several hundred families in barracks formerly occupied by French troops. The allowance per destitute refugee per head is now 10 kilos of flour and three Lebanese pounds per month. Vaccination against epidemic diseases has not gone very far yet : it will

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officially begin on September 1st, when all will receive vaccination against cholera, typhoid and smallpox.

There are some 12,000 around Beyrout being cared for locally. They live in houses and receive their allowances from the Government, but their condition is pitiable. Many of them are from Acre and Haifa : they have lost everything in the panic-evacuation after the British forces walked out. I met a woman with five children from Haifa; her husband had been a little shopkeeper. In the evacuation he had put his wife and children in a small boat and sent them north to Lebanon while he went back to attempt to save something from the shop. Since then his wife has not seen him again. She thinks he was shot, but no one knows.

Down in the south where there are 28,000, conditions are even worse. The refugees have swamped out the tiny, prosperous villages : children are there in thousands, waiting and living from hand to mouth hoping for assistance to come. The relief Committees presided over by local administrative officials distribute food and what medical attention they can, but admit the problem is getting out of control and the danger of epidemics grows daily.

PROBLEM OF THE PALESTINE MIDDLE CLASS REFUGEES

Though the majority of the Palestinian refugees are fallahen or small shopkeepers from towns, there are some 10,000 middle-class refugees scattered round the Arab states of Transjordan and Lebanon. Many of these people have lost everything. Their homes have been occupied or looted and their money gone.

But one of the chief causes of the hardship inflicted on these people was the action of the British Mandatory

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in leaving Palestine. When the British authorities left, they gave cheques or promissory notes to all employees which the latter imagined could be cashed at will at the banks. But after the British left the Banks were closed and have not yet re-opened. Moreover the Palestine Government funds are locked up in Cyprus. This means that all Government officials *due to receive pensions or back payments for salaries have not been able to draw a piastre since May 15th last.*

Most of them who brought money with them have now exhausted what they had and are living on borrowed money, or are destitute. Though some of them have managed to get jobs in Transjordan and Syria, many cannot, and in countries like Lebanon, where already there is local unemployment, it is practically impossible for a Palestinian to make a living in a middle-class job.

Questioned for the reason for this state of affairs, a British official told me: "I admit it is a scandal. It appears that the Mandatory Government had some vague idea there would be some 'successor authority' to whom they could hand over funds due to the Arab of Palestine. Since there has been none established up to now, no money has been released."

This "vague idea" has caused untold suffering and unnecessary humiliation to hundreds and thousands of Palestinian families who, through no fault of their own, cannot touch their own money.

The British Legation in Amman has set up a Committee to deal with this problem and to try and induce the British Government to make advances at least until the matter is finally settled. So far the Committee has had very little success. It appears that when British officials left their jobs in Palestine, they left the records in a chaotic condition in Cyprus. Attempts to sort them out in Cyprus have so far only revealed the indifference and incomprehensible lack of foresight of the Mandatory Government.

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CONCLUSION

This is what Zionism and the attempt to establish a Jewish state in Palestine has done to the Arabs. With such dreadful accuracy and realism has George Antonius' prophecy quoted in our opening paragraph been fulfilled . . . "The logic of facts is inexorable. It shows that no room can be made in Palestine for a second nation except by dislodging or exterminating the nation in possession." And let the truth be said. Perhaps even at this late hour those whose minds are not completely warped by a preconceived and shockingly mistaken idea will see it and have the courage to admit it and to recant their terrible error. The responsibility for this appalling human disaster rests upon every government and every organization, every statesman and every newspaper in this country, in America and elsewhere, who have supported and continue to support the Zionist movement and its aims. If the Arab refugee tragedy is not enough to show the world, to show the champions of humanitarianism and decent liberal sentiment in particular, that the aims of Zionism are evil, and that its object cannot be attained except by the infliction of a terrible injustice on the Arabs of Palestine, culminating in their complete dispossession and expulsion from their country, then the moral perception of the world must be so distorted and obtuse that nothing can be hoped for from it. What those who still support Zionism have to realize is this, that whatever immediate relief is given to the Arab refugees, their problem, the problem of homelessness, cannot be solved as long as what calls itself the Jewish state remains in existence.

October, 1948.

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A FAMILY SHELTERING UNDER A TREE IN EASTERN PALESTINE



OUTSIDE CAIRO REFUGEE WOMEN COOKING THEIR FIRST MEAL



REFUGEE CHILDREN AT BIR ZERT, PALESTINE



WASH



THE CHILDREN IN THIS
THEY HAVE BEEN PICKED UP



PALESTINE



MEAL



REFUGEE CHILDREN AT BIR ZERT, PALESTINE



WASHING AFTER THE TREK



THE CHILDREN IN THIS GROUP ARE NOT WITH THEIR PARENTS. THEY HAVE BEEN PICKED UP BY STRANGERS ON THE WAY TO LEBANON

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A WOMAN FROM LYDDA SETTING UP HOUSE IN THE FIELDS



REFUGEES FROM LYDDA IMPROVISING AN OVEN AT JERICHO



A CHILD OF TWO FOUND WITHOUT HIS PARENTS ON THE LEBANON FRONTIER



A DOCTOR VISITING A



IN EGYPT A REFUGEE WOMAN



THE FIELDS



JERICHO



A CHILD OF TWO FOUND WITHOUT HIS PARENTS ON THE LIBANON FRONTIER



A DOCTOR VISITING A REFUGEE CAMP IN EGYPT



IN EGYPT A REFUGEE WOMAN WAITING TO BE TAKEN TO LODGINGS

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44 1948	<div style="font-size: 2em; font-weight: bold; margin: 0;">E</div> EASTERN DEPARTMENT PALESTINE B	<div style="float: right; margin-right: 20px;">279</div> <div style="font-size: 2em; font-weight: bold; margin: 0;">E</div> 14212
Registry Number E14212/1102/31 FROM Mr. Atiyah, (Arab Office) to Miss Waterlow). No. 2/21/16. Dated 2nd Nov. Received in Registry 4th	<u>Payments to Palestine ex-Officials.</u> <u>Arab Office reply to F.O. criticisms of their pamphlet No. 8.</u> Refers to E 13664/1102/31.	
Last Paper E13664 References (Print) (How disposed of) <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> (Action completed) <i>CS 8/11</i> </div> <div style="width: 45%;"> (Index) <i>[Signature]</i> </div> </div> Next Paper E14425	<div style="text-align: right; margin-bottom: 10px;">(Minutes.)</div> please see letter within. E Wala la w 5/11 1) Mr. Beith. 2) Mr. Burgess. <div style="text-align: right; margin-top: 20px;"> <i>L. J. Beith</i> <i>Mr. 5</i> <i>BABBS</i> <i>5/11</i> </div>	

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Cables:
ARAB OFFICE LONDON

THE ARAB OFFICE

92, EATON PLACE
LONDON, S.W.1

Telephone:
SLOANE 0724-5

2/21/16

2nd November, 1948

14212

Dear Miss Waterlow,

Thank you very much for your letter of October 29th and for the information you enclose on the steps taken by H.M.G. to meet their obligations to the Arab employees of the former Mandatory Government.

With regard to the criticisms you raise of pages 24-25 of our refugee pamphlet, first I would like to apologise that, owing to the insertion of a heading on page 24, it is perhaps not obvious at first sight that this passage is part of an eyewitness account dated August 25th. On careful examination of the text however, I think this fact is clear. I notice that in paragraph 4 of the Colonial Office document which you enclosed it is stated that H.M.G. was unable to make the necessary funds available in various Arab capitals until September and October, and it therefore seems likely that the main argument of the eyewitness, namely that considerable hardship was caused because former Mandatory employees were unable to cash the cheques issued to them, was correct at the time the account was written, although I admit that some of the statements made are rather strong. However, while fully appreciating the great difficulties under which the British authorities have worked since the termination of the Mandate, I do feel that there is ground for the criticism that they showed a lack of foresight before its termination.

I am afraid that it is not likely that we will publish a second impression of this pamphlet, but should we decide to do so we shall be glad to amend it in the light of the information you give. In the meantime the best we can do is to publish a summary of this information in our fortnightly Arab News Bulletin.

Thank you again for your comments which we are always pleased to receive.

Yours sincerely,

Samia Al-Zuhairi

Miss C. Waterlow,

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E

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<p style="font-size: 2em; margin: 0;">45</p> <p style="font-size: 2em; margin: 0;">1049</p>	<p style="font-size: 4em; margin: 0;">E</p> <p style="margin: 0;">EASTERN DEPARTMENT</p> <hr/> <p style="margin: 0;">PALESTINE /</p>	<p style="font-size: 2em; margin: 0;">281</p> <p style="font-size: 2em; margin: 0;">E</p> <p style="margin: 0;">14423</p>
<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p>Registry Number 14423/1102/51</p> <p>FROM Mr. A. Subran (N.York).</p> <p>(to C.O.)</p> <p>No. —</p> <p>Dated 5th</p> <p>Received in Registry 9th Nov.</p> </div> <div style="width: 70%;"> <p><u>Mr. A. Subran, ex Palestine Government official, asks that PACO sends his dues to him in N.York.</u></p> <p>Copied to PACO, Cyprus. Has written to us on advice of H. Consul-General, N.York.</p> </div> </div>		
<p style="text-align: center;">Last Paper</p> <p style="font-size: 1.5em; margin: 0;">E14212</p> <hr/> <p style="text-align: center;">References</p> <hr/> <p style="text-align: center;">(Print)</p> <hr/> <p style="text-align: center;">(How disposed of)</p> <p style="font-size: 1.5em; margin: 0;">15) C.O. / 7 Nov.</p>	<p style="text-align: right;">(Minutes.)</p> <p style="font-size: 1.5em; margin: 0;">Copy minutes to Co. for obs</p> <p style="font-size: 1.5em; margin: 0;">Finance Dept. to see</p> <p style="text-align: right; margin: 0;">Jrs Britn</p> <p style="text-align: right; margin: 0;">Nov. 11</p> <p style="margin: 10px 0;">Noted for Cons to al. 12</p> <p style="margin: 10px 0; text-align: right;">Sgt. New 81556 4. 11. 49</p>	
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282 E

Abdallah Jubran
C/o Makla Brothers
258 Fifth Avenue
New York City, N. Y.

14425

November 5, 1948

Colonial Secretary
Foreign Office
London, S. W. 1

Honorable Sir:

The undersigned, Abdallah Jubran, has the honor to submit that I was in the employment of the ex-Government of Palestine from July 1st, 1920 to May 15, 1948, the date of the termination of the British Mandate over Palestine.

Prior to the winding up of the Palestine administration, I was on leave in the United States of America and while in this country my appointment, as well as the appointments of all other civil servants was terminated.

During my service in Palestine I held the post of Agricultural Officer and often acted for the Senior Agricultural Officer and Chief Fisheries Officer of the said department. I was classified as a Senior Officer and my post as well as myself were pensionable. In accordance with the then existing rules and pension regulations, I opted in due time for a lump sum cash and pension on retirement or termination of my appointment. My age was exactly fifty-two years on the termination of the Mandate, having been born on May 15, 1896.

I regret to state that, other than staff circulars number 2/48 of 28th February 1948 and number 3/48 of 1st March 1948, on the subject of the compensation payable to government officers and employees on the termination of the Mandate, sent to me by the director of Agriculture and Fisheries under his letter number AF/1/96 dated 3rd March 1948, I received nothing definite about the amounts accruing to me in the form of compensation, pension, disturbance grants and other benefits allowed under the circumstances.

For your information, by virtue of my wife being an American citizen, I have now decided to reside in the United States permanently. In June 1947, the Commissioner of Foreign Exchange in Jerusalem acting on instructions from the Chief Secretary, authorized Barclays Bank, Jerusalem, to transfer from my checking

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November 5, 1948

account an allotment equivalent to \$200.00 to be paid monthly through their New York Agency to my wife, Mrs. Sakia M. Jubran who was then in the United States. (Controller of Foreign Exchange letter number DFR.P/10493 dated 19.6.47 refers.) Mrs. Jubran continued to receive this amount in regular monthly payments from September 1947 till April 1948. Since then, however, nothing was received by her, I presume due to the disturbed conditions of the country.

I have recently applied to the Immigration and Justice Department of this country for suspension of my deportation, and while I have not received as yet a reply to my plea, my status, until my permanent residency is established, will remain to be a visitor in this country, barred from doing any work or even earning a penny. I must confess that I am experiencing great hardships in living and supporting my wife without any income whatsoever, and shall therefore be grateful if arrangements were made through your good offices with the Palestine Accounts Clearance Office, Flatres, Cyprass, whereby I receive my gratuities, pension and other benefits at the above address through Barclays Bank Agency, New York City, New York.

I am sending a copy of this letter to the Palestine Accounts Clearance Office, Flatres, Cyprus for their information and any action you may deem necessary.

For further information I have made this approach to your good self upon the suggestion of the British Consul General, New York.

Trusting to hear from you soon.

I have the honour to be
Honourable Sir
Your obedient servant

Abdullah Jubran
Abdullah Jubran

282A

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46

E

283

1948

PALESTINE

E15147

Registry
Number E 15147/1102/31

FROM Colonial Office

No. 75156/151A/3/3/48.

Dated 25th
Received in Registry 25th Nov.Mrs M. Mazzotti's claim. (widow of H.A.F.I. manager).
Colonial Office disclaim liability.Saying the matter was for the War Office, encloses copy of H.C. Palestine disclaimer, copy of War Office disclaimer and a copy of Govt. statement in ~~House of Commons~~ Parliament saying that such cases would be provided for. There is no correspondence from the H.A.F.I.

Last Paper

E 14425 (E13216)

References

(Print)

(How disposed of)

Att) Cq. Jerusalem
from E Dept Dec 10
8) W. Ricklin, C.O.
War Office, F. J. (a)
13 Dec(Action
completed)

C. S. 14/12

(Index)

14/12/48

Next Paper

E 15356

(Minutes.)

Letter to JERUSALEM.

L. 6: xii

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Extension.....

**THE UNDER SECRETARY OF STATE
COLONIAL OFFICE
LONDON, S.W.1**

Your Reference.....

I am directed by Mr. Secretary Creech Jones to refer to your E 13216/1102/31 of the 20th October, addressed to the Under Secretary of State for War, enclosing copies of correspondence forwarded by the Consul General, Jerusalem, regarding a petition submitted by Mrs. Maria Mazzotti.

2. This petition had already been considered by the former Government of Palestine and I attach a copy of Savingram No. 241 of the 24th March, 1948, which states the reasons for Palestine being unable to accept liability for compensation. The subject was referred to the Under Secretary for War and I attach a copy of the reply stating that the Council is unable to accept liability. No communication has been received from the Navy, Army and Air Force Institutes as suggested in the second paragraph of the War Office letter.

I am, Sir,
Your obedient servant,

Quentin

THE UNDER SECRETARY OF STATE
FOR FOREIGN AFFAIRS

**SANCTUARY BUILDINGS
GREAT SMITH STREET
S.W.1**

71-1 November, 1948

15147

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SAVING

SF/100/47

285

From: the High Commissioner for Palestine.
To: the Secretary of State for the Colonies
Date: 24th March, 1948
No: 241 Saving

I enclose three copies of a petition addressed to the Secretary of State for War by Mrs. MARIA MOZZOTTI whose husband was killed in the explosion which wrecked the Goldsmith Officers' Club in Jerusalem on 1st March, 1947.

2. I have already addressed you generally, in my Saving No.50 of 22.1.48, on the subject of claims for compensation arising out of that outrage, and there is little to add in the present instance.

3. Mrs. MAZZOTTI'S husband who was in the employment of NAAFI/EFI was manager of the Goldsmith Club. She first applied to me for compensation, on 25th March 1947. I had arranged, meanwhile, for an investigation into the circumstances of dependants of deceased civilians and in the case of Mrs. MAZZOTTI, the Director of Social Welfare had reported no immediate need. I was approached on the general subject of compensation, by NAAFI/EFI who were informed that while ex gratia relief payments were continuing, Government could accept no liability for compensation, since the deceased met his death in a building under complete military control. The matter was later referred to the Military authorities who also disclaimed liability, holding that "the only circumstances in which the War Department can accept any responsibility towards NAAFI employees is when they are killed or injured as the result of direct negligence of a member of His Majesty's Forces on duty".

4. In the circumstances I can only recommend that the Secretary of State for War be informed that the Government of Palestine is unable to accept liability in this case.

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20 286
THE WAR OFFICE,
LONDON, S.W.1.

0176/825 (F.3.A)

31st August, 1948

Sir,

I am commanded by the Army Council to refer to your letter of 5th April, 1948, numbered 75156/151A/3/3/48 on the subject of a claim by Mrs. Mazzotti, the widow of an employee of the Navy, Army and Air Force Institutes who was killed by terrorist action while on duty at the Goldschmidt Officers Club, Jerusalem. The Council are unable to accept any liability in respect of these employees and are unable to advise you as to the reply which should be made to the petitioner.

The Navy, Army and Air Force Institutes have asked for an interpretation of the statement made in the House by the Lord President of the Council (copy enclosed), and have been advised to take up this matter direct with you.

I am, Sir,
Your obedient Servant,

(sgd) G.W. Lambert

The Under Secretary of State,
Colonial Office,
London, S.W.1.

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2 C pages 287

Extract of a Statement made in Parliament
by the Lord President of the Council

(Hansard Vol.426 No.188 31.8.46)

"At this point, I should like to say a word on the subject of the compensation payable to the dependants of the dead and to the injured. Nothing we can do can make up to them for the irreparable personal loss they have suffered, but it is the duty of the Government to ensure that they do not suffer more than is inevitable, and that they should be spared financial anxieties as far as is possible. The families of British and Palestinian civil servants and police are provided for by special legislation which has been operative since 1935, dealing with pension and compensation questions arising out of acts of terrorism. This legislation will be interpreted and administered with the maximum generosity and special provision will, if necessary, be made to deal with cases which may for technical reasons fall outside its sphere, or in which special circumstances make the compensation provided under the legislation inadequate. The provisions of the Royal Warrant will apply to the dependants of soldiers who lost their lives. Dependants of other victims not included in the above category, will be provided for by special arrangements as necessary. In the meantime, instructions have been given to ensure that payments continue to be made to families pending the conclusion of final arrangements for their financial support."

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Registry
No. **E15147/1102/31**

Top Secret.
Secret.
Confidential.
Restricted.
Open.

L. G. T.

Drop

Letter

Consulate-
General,
Jerusalem.

(From Eastern
Department).

Copy to:-

Mr. Nicklin,
Colonial
Office.

F.3.A.
War Office.

(54415) W.L.4482152 50,000 12/47 A & E.W.Ltd. Gp.685
557084 W.L.13462159 150,000 5/48

OUT FILE

FOREIGN OFFICE, S.W.1.

10 December 1948.

Dear Consulate-General,

Please refer to your letter A/46 of the 1st October about the case of Mrs. Maria Mazzotti, whose husband was killed in a terrorist outrage against the Goldschmidt Officers Club in Jerusalem of which he was Manager.

Mrs. Mazzotti's petition was submitted by us to the War Office and passed on by them to the Colonial Office. We are enclosing a copy of the Colonial Office's reply and its enclosures from which you will see that the Colonial Office are unable to accept any liability for meeting Mrs. Mazzotti's claim on behalf of the Government of Palestine in view of the fact that her husband met his death in a building under complete military control, while the War Office have disclaimed any responsibility on the grounds that the only circumstances in which they can accept any responsibility towards N.A.A.F.I. employees is when they are killed or injured as the result of direct negligence of a member of H.M. Forces on duty.

We feel that Mrs. Mazzotti is extremely unfortunate in having fallen between two stools in a case which at first sight appears to be an obvious one for H.M.G. However, in view of the ^{decisions decided alone} Colonial Office and War Office ~~attitude~~ we are ^{unable} ~~powerless~~ to do anything to help her and ^{we} can only suggest that her best course is once again to press her claim through N.A.A.F.I. who, being her husband's/

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husband's former employers, should presumably bear the first liability for his death. It might possibly be worth her while to take up her case direct with their English Headquarters whose address is Ruxley Towers, Claygate.

Yours ever,
EASTERN DEPARTMENT.

4.6.22

NOTHING TO BE WRITTEN IN THIS MARGIN.

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FOREIGN OFFICE, S.W.1.

10th December, 1948.

(E 15147/1102/31)

Dear Consulate-General,

Please refer to your letter A/46 of the 1st October about the case of Mrs. Maria Mazzotti, whose husband was killed in a terrorist outrage against the Goldschmidt Officers Club in Jerusalem of which he was Manager.

Mrs. Mazzotti's petition was submitted by us to the War Office and passed on by them to the Colonial Office. We are enclosing a copy of the Colonial Office's reply and its enclosures from which you will see that the Colonial Office are unable to accept any liability for meeting Mrs. Mazzotti's claim on behalf of the Government of Palestine in view of the fact that her husband met his death in a building under complete military control, while the War Office have disclaimed any responsibility on the grounds that the only circumstances in which can accept any responsibility towards N.A.A.F.I. employees is when they are killed or injured as the result of direct negligence of a member of His Majesty's Forces on duty.

We feel that Mrs. Mazzotti is extremely unfortunate in having fallen between two stools in a case which at first sight appears to be an obvious one for His Majesty's Government. However, in view of the Colonial Office and War Office decisions described above we are unable to do anything to help her and we can only suggest that her best course is once again to press her claim through N.A.A.F.I. who, being her husband's former employers, should presumably bear the first liability for his death. It might possibly be worth her while to take up her case direct with their English Headquarters whose address is Ruxley Towers, Claygate.

Yours ever,

EASTERN DEPARTMENT.

British Consulate-General
Jerusalem.

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47	E	290
1948	PALESTINE B	E 15356

Registry E 15356/1102/31
Number

FROM Colonial Office.

No. 16578/1/6/48

Dated 30th Nov.

Received in Registry 1st Dec.

Claim by Mr. A. Jubran, former Palestine Govt. Official, now in U.S.A. C.O. letter to PACO.

Refers to E 14425/1102/31.

Encloses copy of letter to PACO, of 30th Nov. asking amount due.

Last Paper

E 1574

References

6845/1483/37

(Print)

(How disposed of)

ATTN C-9 N.Y. 10/2/48
from E Dept Dec 9

(Action completed)

10/2/48

(Index)

10/2/48

Next Paper

E 15438

(Minutes.)

1st to Committee General N.Y.

b.o. 11.11

b.o. 1.11

4. 11.11

4. 11.11

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291 E

Number quoted: 16578/1/6/4

S.W.I

15356

30th November, 1948.

Your Reference.....

Sir,

I am directed by Mr. Secretary Creech Jones to refer to your E.14425/1102/31 of the 17th November, 1948, enclosing a copy of a letter from Mr. Abdallah Jubran regarding amounts which may be due to him in respect of Pension and Abolition of Benefits on the termination of his appointment with the former Government of Palestine.

I enclose a copy of a letter which has been addressed to the Officer in Charge of Palestine Accounts Clearance Office, Cyprus, and I will communicate with you on receipt of his reply.

I am, Sir,
Your obedient servant,

Selection.
(R. S. Nicklin)

The Under-Secretary of State
for Foreign Affairs,
FOREIGN OFFICE, S.W.1.

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Reference:- **FO 371/68652**

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 RECORD OFFICE, LONDON

16578/1/6/48

30th November, 1948.

Sir,

I am directed by Mr. Secretary Creech Jones to inform you that a communication has been addressed to the Under-Secretary of State for Foreign Affairs by Mr. Abdallah Jubran, formerly Agricultural Officer, concerning the amounts due to him in respect of Pension, Disturbance Grant and Abolition of Benefits.

Mr. Jubran is at present residing at Makla Brothers, 258, Fifth Avenue, New York City, N.Y., and I am to request you to advise me what amounts are due to him. When this information is available he will be notified, in order that foreign exchange formalities may be completed by him to permit remittances to be made by Crown Agents for the Colonies for the credit of his account with Barclays Bank agency in New York City.

I am, Sir,
Your obedient servant,

R. S. Nicklin
(R. S. Nicklin)

The Officer in Charge,
Palestine Accounts,
Clearance Office,
LIMASSOL, CYPRUS.

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Registry
No.

Top Secret
Secret
Confidential
Restricted
Open

L.G.T.

Drift letter

Consulate General,
New York.

(Eastern Dept.)

E. 14423

Play A with

FOREIGN OFFICE, S.W.1.

9 December, 1948.

Dear Consulate General,

We are enclosing a copy of a letter received from Abdullah Jubran of 258, Fifth Avenue, a former Palestinian Government servant, about certain emoluments which are said to be due to him. We are also enclosing a copy of a letter on the subject of Mr. Jubran which the Colonial Office have sent to Cyprus.

2. We should be grateful if you would inform Mr. Jubran that we have referred his enquiries to the Colonial Office and that action will be taken by them in the sense of the second paragraph of their letter to Cyprus.

Y. 2: xii

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FO 371 / 68652					
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294
FOREIGN OFFICE, S.W.1.

9th December, 1948,

(E 15356/1102/31)

Dear Consulate General,

We are enclosing a copy of a letter received from Abdullah Jubran of 258, Fifth Avenue, a former Palestinian Government servant, about certain emoluments which are said to be due to him. We are also enclosing a copy of a letter on the subject of Mr. Jubran which the Colonial Office have sent to Cyprus.

2. We should be grateful if you would inform Mr. Jubran that we have referred his enquiries to the Colonial Office and that action will be taken by them in the sense of the second paragraph of their letter to Cyprus.

Yours ever,

EASTERN DEPARTMENT.

British Consulate-General,
New York.

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Reference:-					
FO 371 / 68652					
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48 1548	<div style="font-size: 2em; font-weight: bold;">E</div>	295 <div style="border: 1px solid black; padding: 2px; display: inline-block;">E15438</div>
PALESTINE		
<p>Registry Number 15438/1102/31</p> <p>FROM Consulate-General San Francisco to K Dept.</p> <p>No. (26/2H)</p> <p>Dated 22nd Nov</p> <p>Received in Registry 3rd Dec.</p>	<p><u>R.M.J. Harb (ex-Palestine Govt. Official). Claim for gratuity.</u></p> <p>Applicant is now in U.S.A.</p>	
<p>Last Paper</p> <p style="font-size: 1.2em;">E15358</p> <p>References</p> <p>(Print)</p> <p>(How disposed of)</p> <p>15) C.O. ✓ 6 Dec</p> <p>9/W1. ✓</p> <p>Comps C-g. San Francisco (ref)</p> <p>19 Jan</p> <p>8) (p/w 2) C.O. ✓</p> <p>24 Jan</p>	<p style="text-align: right;">(Minutes.)</p> <p>Cpy C.O. 14 do</p> <p style="text-align: right;">L. 4:xi</p> <p>b.u. 4:i</p> <p>1) C.O. (16578/1/12/40) 15/12</p> <p>Cpy Consulate-General San Francisco ref 14</p> <p>19/1</p> <p>b.u. 18:i</p> <p style="text-align: right;">L. 18:xi</p> <p>2) C-g. San Francisco (26/5) 15/12</p> <p>Cpy. 2. to C.O. +</p> <p style="text-align: right;">L. 20:i</p> <p>b.u. 4:ii</p> <p>Sss. 9 1292.</p> <p style="text-align: right;">L. 31:i</p>	
<p>(Action completed)</p> <p style="font-size: 1.2em;">CS 21/2</p> <p>(Index)</p> <p style="font-size: 1.2em;">2/5/49</p>		
<p>Next Paper</p> <p>(122843) 2843/41-49)</p> <p style="font-size: 1.2em;">E15777</p> <p>(1292/1483/31-49)</p>		

PUBLIC RECORD OFFICE

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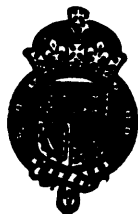
FO

371 / 68652

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In reply please quote
Ref. No. 26/2H
RA/am



BRITISH CONSULATE-GENERAL,

310 SANSOME STREET,
SAN FRANCISCO 4, CALIFORNIA.
November 22, 1948

15438

Dear Department,:

We have been approached by a Rizik Eff Jamil Harb, bearer of British Palestine Passport No. 201416 issued at Jerusalem on the 2nd November, 1945. This passport describes him as a "Government Official", and shows that he was born at Ramallah on the 27th January, 1921, and that he entered the United States as a non-quota immigrant on the 17th August, 1948. He claims that he was a government official for many years, formerly in the Post Office and latterly (between May, 1941 and May, 1948) in the Palestine Broadcasting Service in Jerusalem.

He understands that in respect of his Government service he is entitled to a gratuity of 90 Palestinian Pounds (LP90) (approximately 360 U.S. dollars) payable by the British Government. He had been informed by a relative in Jerusalem that this money can be paid to him through the nearest British office (i.e. this Consulate-General.)

We should be grateful if you would take whatever action is necessary to inform the proper authorities in Jerusalem of this claim, and make any arrangements that may be needed for payment if this is authorized.

Yours ever,

SAN FRANCISCO.

Consular Department,
Foreign Office,
London, S.W.1, England.

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FO 371 / 68652

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Extension

and the following
Number quoted: 16578/1/12/48

Your Reference.....

I am directed by Mr. Secretary Creech Jones to refer to your E.15438/1102/31 of the 6th December, enclosing a communication from the Consular Department, San Francisco, concerning the payment of a gratuity to Rizik Eff. Jamil Harb, and to inform you that particulars have been submitted to the Palestine Accounts Clearance Office, Cyprus, for investigation, and a further communication will be addressed to you on receipt of their reply.

I am, Sir,
Your obedient Servant,

The Under-Secretary of State,
FOREIGN OFFICE.
S.W.1.

(R. S. Nicklin)

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FO 371 68652

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7E n 5. 2982

BRITISH CONSULATE-GENERAL,

310 SANSOME STREET,

SAN FRANCISCO 4, CALIFORNIA.

15th December, 1948

Ref. No.

26/5
RA/am

15438/H02/31

INDEXED

He has a

Dear Department,

15439/1102/31

Our letter of 22nd November regard-
ing Rizik Eff Jamil Harb.

We should be grateful if you would inform us how this matter now stands.

Yours ever,

rk

SAN FRANCISCO.

Consular Department,
Foreign Office,
London, S.W.1, England.

PUBLIC RECORD OFFICE											
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299

L 15577

PALESTINE

Received }
in Registry } 6th Dec.

-encloses application. dated 29th November.

(How disposed of)

enclosures in
original with
comp. H. 8.0
all

(Index)

CL 12/12

E 15881

45. 9.xii.

Public Record Office

Reference:-

FO 371 / 68652

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15577

AMILLAN.

Dear Eastern Department,

We attach for favour of transmission a letter addressed to the Secretary of State for the Colonies by an ex member of the Palestine Civil Service now residing at Amman.

Yours ever,

AMMAN CHANCERY.



The Eastern Department,
The Foreign Office,
LONDON, S.W. 1.

POLICE RECORD OFFICE					
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Reference:-

FO

371 / 68652

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301

His Majesty's Principal Secretary of State for the Colonies, LONDON.

Through His Majesty's Minister, Amman.

Sir,

I have the honour to inform you that when I was serving under the Palestine Government as Principal Assistant Secretary, on application made by me I was granted three months leave from the 1st of February to the 31st of April, 1948. As the situation in Jerusalem became very bad on the 1st of May the date on which I was due to return to my duty, and as my quarter, the Sheikh Jarrah, was subjected to continual attacks and bombardments by the Jews, I had decided to remain in Amman with my family, but in order to legalize my situation in staying in Amman from the 1st of May to the 15th of May, I applied to the Chief Secretary and asked that my retirement on pension may be calculated as from the 1st of May instead of the 15th of May, 1948. My request was kindly granted and I forward herewith a copy of a letter which I received from the Chief Secretary to that effect.

Had I not applied to retire as from the 1st of May I would have been retained in the service until the 15th of May, date of the termination of the mandate, as it was not the intention of the Palestine Government to retire me before that date.

In the circumstances I shall be grateful if my special case may receive your kind attention and your authority be given for the grant to me of the disturbance allowance, which is being granted to all officers who have retired on the 15th of May, 1948.

I take this opportunity to bring to your notice that in view of the real war which occurred in Jerusalem and specially in my quarter I had to take a house at Amman and to transfer all the members of my family thereto. As a result of the continual attacks directed against Sheikh Jarrah quarter my house was seriously damaged and all its contents including my furniture, clothes etc. were looted by the rioters; all its doors and windows were stolen.

The losses which I have sustained and the expenses resulting from my staying at Amman will I am sure constitute a reasonable ground for considering my case with your usual solicitude and sympathy in similar cases.

I remain, Sir,

Your most obedient servant,

Ruhi Abdul Hadi

(RUHI ABDUL HADI)

Ex-Principal Assistant Secretary,
Palestine Government.

29th November, 1948.

371/68652

C O P Y

302

Government of Palestine.

Civil Service Commission,
JERUSALEM.

REF. NO. U/1896/31

16th April, 1948.

Sir,

I am directed to refer to your letter dated the 15th March, 1948, and to inform you that approval has been given for your retirement from the public service with effect from the 1st May, 1948.

2. Arrangements will be made to effect payment to you of retiring benefits in respect of your service under the Palestine Administration and of ten years service under the Ottoman Government.

I am, Sir,
Your obedient servant,

(Sgd) (A.M. Dryburgh)

For CIVIL SERVICE COMMISSIONER

Ruhi Bey Abdul-Hadi, O.B.E.,
c/o British Legation,
Amman.

371 68652

1948

E

E 15881

303

PALESTINE

Registry Number E 15881/1102/31

FROM Crown Agents.

No. P/Pal(Sect.7)

Dated 10th

Received in Registry } Dec. 16th

Sums due to 5 ex-employees of Palestine Alys.

(Y.A.R. Mahmoud, M. Mahmoud, A.G. Suleiman.)

asks for monies due, to be paid through British Embassy, Bagdad.

Last Paper

E (577)

References

(Print)

(How disposed of)

1) Dft) Chancery, Bagdad
Jan. 4
2) Mr. Childs, Crown
Agents (Bagd enc.)
Jan. 6

(Action completed)

C/S 10/1

(Index)

Next Paper

(Minutes.)

Dft to Bagdad

1 enc. THRXEN

22: xii

Finance Dept 1st.

No Crisp: Dft Yco. Noted for Extras
7/11.
29/12

47.31: xii

PUBLIC RECORD OFFICE

Reference:-

FO 371 / 68652

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ALL COMMUNICATIONS
TO BE ADDRESSED TO THE
CROWN AGENTS FOR THE COLONIES
THE FOLLOWING REFERENCE AND THE
DATE OF THIS LETTER BEING QUOTED.



4, MILLBANK,
LONDON, S.W.1.

P/Pal. (Sect. 7)

TELEGRAMS: INLAND: "CROWN, S.W.1, LONDON."
OVERSEAS: "CROWN, LONDON."
TELEPHONE: ABBEY 7730.

15881

10 DEC 1948

Sir,

We have the honour to state that we have been authorised on behalf of the former British Administration of Palestine, to pay to the following officers, formerly Palestine Railway employees, the amounts due to them from that Administration, as shewn against their names :-

Mr. Y. A. R. Mahmoud

Salary and Provident fund benefits ... £13. 7s. 11d.

Mr. M. Mahmoud.

Salary and Provident fund benefits ... £33. 12s. 9d.

Mr. Ahmad G. Suleiman.

Salary and Provident fund benefits ... £22. -. 7d.

2. We shall be glad if arrangements may be made for the amounts to be paid to them through the British Embassy, Baghdad, and for your claim to be submitted to us in the usual manner.

3. Our information is that the persons concerned have been instructed to report to the British Embassy in Baghdad to receive payment.

We have the honour to be, Sir,
Your obedient servants,

X. I. Child

for the CROWN AGENTS.

The Under Secretary of State,
Foreign Office,
S.W.1.

IGS

RR

304

E

PUBLIC RECORD OFFICE					
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Reference:-					
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26

Registry
No. E 15881/1102/31

Draft.

LGT

Top Secret.
Secret.
Confidential.
<i>Restricted.</i>
Open.

Letter to Chancery,
Bagdad.

Copy less enclosure
to Mr. Childs
Crown Agents

7/11/29/12
Finance Department
✓
1st.

4. 22:xi

5/1

6/1

OUT FILE *4. Jan. 1949* *3/5*
~~December, 1948.~~

Dear Chancery,

We enclose a copy of a self-
explanatory letter from the Crown Agents
about certain payments outstanding to
three former Palestine railway employees
and we should be grateful if you would
take the action which they request.

Yours ever,

Eastern Dept.

47. 31:xi

NOTHING TO BE WRITTEN IN THIS MARGIN.

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306

ENVB

4th January, 1949.

(E 15881/1108/31)

Dear Chancery,

We enclose a copy of a self-explanatory letter from the Crown Agents about certain payments outstanding to three former Palestine railway employees and we should be grateful if you would take the action which they request.

Yours ever,

EASTERN DEPARTMENT.

**The Chancery,
British Embassy,
Bagdad.**

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